



TITLE Mannering Colliery Annual Review 2024

SITE Delta Coal



Mannering Colliery Annual Review 2025
Delta Coal

Authors:	
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Date:	27 March 2026

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 1 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Table 1: Annual Review Title Block

Name of operation	Mannering Colliery
Name of operator	Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal)
Project Approval #	Project Approval MP06_0311 (Mod 5)
Name of Project Approval holder	Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal)
Titles/Mining Leases #	Nil (all mining leases registered under Chain Valley Colliery Holding)
Name of holder of mining leases	Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal)
Water License #	WAL40461/20AL217059
Name of holder of water licence	Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal)
RMP start date	20 October 2022
RMP end date	N/A
Annual Review start date	1 January 2025
Annual Review end date	31 December 2025
<p>I, Sean Pigott, certify that this audit report is a true and accurate record of the compliance status of Mannering Colliery for the period 1 January to 31 December 2025 and that I am authorised to make this statement on behalf of Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal).</p> <p><i>Note.</i></p> <p>a) <i>The Annual Review is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p>b) <i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Reporting Officer	Name: Sean Pigott Title: Environment & Approvals Manager Date: 31st March 2025 Signature:

Executive Summary

During the 2025 Annual Review reporting period no coal was produced from the Mannering Colliery Project Approval MP06_0311 (Modification 5) project area.

During the reporting period, 1,069,943 tonnes of coal was handled through Mannering Colliery from Chain Valley Colliery (CVC) and transported to Vales Point Power Station (VPPS) via the overland conveyor.

The last modification to Mannering Colliery's Project Approval MP06_0311 (Modification 5) was approved in June 2020. The modification allowed for an extension of approval, increase in ROM coal handling limit and change in allowed mining method (bord and pillar). The site operates under Environmental Protection Licence 191, last issued in June 2025.

A summary of the key environmental performance indicators and statement of compliance for the 2025 reporting period is provided in below.

Indicator	Value
Full time employees (at 31 December 2025)	26
ROM coal produced from site (tonnes)	0
Total product coal transferred to VPPS from site (tonnes)	1,069,943
General waste produced (tonnes)	48.0
Total waste recycled (tonnes)	54.6
Waste recycling % achieved	53%
Potable water consumed (ML)	101
Total water discharged from the operation (ML)	426
Total number of community complaints received	0
Total number of reportable environmental incidents for the period	5
Number of Community Consultative Committee (CCC) meetings undertaken	4
Total greenhouse gas emissions (CO ₂ equivalent tonnes) (FY24-25)	104,280

1 Statement of Compliance

There were no reportable environmental incidents during the reporting period.

Six non-compliances were reported during the reporting period. These are summarised in **Table 3.**

Table 2: Statement of Compliance

Were all conditions of the relevant approval(s) complied with?	
Project Approval No. MP06_0311	No
EPL191	No
Water Licence WAL40461/20AL217059	Yes

Table 3: Non-compliances for 2025 at Mannering Colliery

Date	Relevant Approval	Condition No.	Condition Description (summary)	Compliance Status	Comment	Where addressed in Annual Review
29/04/2025	MP06_0311	Schedule 3, Condition 16	Non-Compliance to maximum monthly increase at DG2 (>2g/m2/month)	Non-compliant	Dust deposition level deemed to be un-related to site operations	Sections 6.1 and 11
21/05/2025	MP06_0311	Schedule 3, Condition 16	Non-Compliance to maximum monthly increase at DG1 (>2g/m2/month)	Non-compliant	Dust deposition level deemed to be un-related to site operations	Sections 6.1 and 11
21/05/2025	MP06_0311	Schedule 3, Condition 16	Non-Compliance to maximum monthly increase at DG4 (>2g/m2/month)	Non-compliant	Dust deposition level deemed to be un-related to site operations	Sections 6.1 and 11
20/08/2025	EPL 191	L2.4	Exceedance of 50 mg/L total suspended solids discharge limit	Non-compliant	80 mg/L recorded on 20 August 2025 during a period of heavy rainfall.	Sections 7.2 and 11

Date	Relevant Approval	Condition No.	Condition Description (summary)	Compliance Status	Comment	Where addressed in Annual Review
10/12/2025	EPL 191	L2.4	Exceedance of 6.5 - 8.5 pH limit at LDP1. The sample result was 8.59 pH.	Non-compliant	Subsequent monitoring pH returned within the EPL limit.	Section 7.3 and Section 11
16/12/2025	MP06-0311	Sch 5, Cond 4	Review of management plans not completed by the within three months of submission of an audit	Non-compliant	Extension request granted to 30 March 2026	Sections 10 and 11

Compliance status key for Table 3:

Risk Level	Colour Code	Description
High	Non-Compliant	Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence
Medium	Non-Compliant	Non-compliance with potential for serious environmental consequences, but is unlikely to occur; or potential for moderate environmental consequences, but is likely to occur
Low	Non-Compliant	Non-compliance with potential for moderate environmental consequences, but is unlikely to occur; or potential for low environmental consequences, but is likely to occur
Administrative non-compliance	Non-Compliant	Non-compliance which does not result in any risk of environmental harm

Table of Contents

Executive Summary.....	3
1 Statement of Compliance	4
Table of Contents	6
2 Introduction	8
2.1 Background.....	8
2.2 Mine Contacts.....	8
3 Approvals.....	10
3.1 Project Approval MP06_0311.....	10
3.2 Leases	10
3.3 Licences.....	13
4 Operations	14
4.1 Exploration.....	14
4.2 Land Preparation	14
4.3 Construction/Demolition	14
4.4 Mining	14
4.5 Mine Geology	18
4.6 Mineral Processing	19
4.7 Waste Management	20
4.8 Stockpiles	21
4.9 Hazardous Materials Management.....	21
4.10 Other Infrastructure Management	21
5 Actions Required from Previous Annual Review	22
5.1 Actions required from previous Annual Review.....	22
5.2 Delta Coal Environmental Management System.....	22
6 Environmental Performance	25
6.1 Air Pollution.....	25
6.2 Erosion and Sedimentation	31
6.3 Contaminated Land	33
6.4 Threatened Flora.....	33
6.5 Threatened Fauna	33
6.6 Weed Management	33
6.7 Blasting.....	33
6.8 Operational Noise.....	34
6.9 Visual, Stray Light.....	40
6.10 Heritage	40
6.11 Spontaneous Combustion	40
6.12 Bushfire.....	41
6.13 Mine Subsidence	42
6.14 Hydrocarbon Contamination.....	42
6.15 Methane Drainage and Greenhouse Gases.....	43
6.16 Public Safety.....	44

Review Date	Next Review Date	Revision No	Document Owner	Page
27/03/2026	N/A	1	Environment & Approvals Manager	Page 6 of 79



6.17 Other Issues and Risks 44

6.18 Summary of Environmental Performance 44

7 Water Management 46

7.1 Licenced Mine Dewatering 46

7.2 Licenced discharge under EPL 191 47

7.3 Water Quality 49

7.4 Long Term Water Quality 52

7.5 Stream Monitoring 54

7.6 Potable Water Use 54

7.7 Surface Water Management 55

8 Rehabilitation 58

8.1 Buildings 58

8.2 Rehabilitation of Disturbed Land 58

8.3 Rehabilitation Trials and Research 60

8.4 Further Development of the Final Rehabilitation Plan 60

8.5 Other Infrastructure 62

9 Community 63

9.1 Community Complaints 63

9.2 Community Liaison 63

9.3 Community Support / Engagement 64

10 Independent Audit 65

10.1 Key Audit Outcomes 65

10.2 Action Plan 65

10.3 Future Audit 65

11 Incidents and Non-compliances During the Reporting Period 66

12 Activities to be completed in the next reporting period 67

12.1 Activities update from 2025 Reporting Period 67

12.2 Activities Proposed for 2026 Reporting Period 67

13 References 68

Acronyms / Definitions 68

Appendices 70

Appendix 1: Project Approval 71

Appendix 2: Environment Protection Licence 191 72

Appendix 3: Weed Action Plan 73

Appendix 4: Noise Monitoring Results 74

Appendix 5: Annual Subsidence Report 75

Appendix 6: Complaints & Incidents Register 76

Appendix 7: Mannering Colliery Independent Environmental Audit 77

Appendix 8: Independent Environmental Audit Action Plan 78

Appendix 9: DPIE Letter – 2025 Annual Review 79

Review Date	Next Review Date	Revision No	Document Owner	Page
27/03/2026	N/A	1	Environment & Approvals Manager	Page 7 of 79

2 Introduction

2.1 Background

Mannering Colliery (MC) is an underground coal mine located on the southern side of Lake Macquarie approximately 60 km south of Newcastle and 80 km north of Sydney. The pit-top is located 3 km south of the township of Mannering Park at the southern extent of Lake Macquarie, as shown on **Figure 1**.

Development of the mine (initially known as Wyee Mine) began in 1960 in conjunction with the construction of Vales Point Power Station (VPPS) and was operated by Powercoal Pty Ltd. Production commenced in 1961 with extensive mining (first workings and secondary extraction) having taken place in both the Great Northern and Fassifern Seams. Coal operations temporarily ceased on 30 June 2002 when the operation was placed on care and maintenance.

Centennial Coal acquired control of the Powercoal assets on 7 August 2002 and MC remained on care and maintenance. Wyee Mine was renamed Mannering Colliery and production was recommenced in December 2005, mining the Fassifern Seam to gain access to greater than 5 million tonnes of recoverable reserves beneath Lake Macquarie and surrounding lands.

Mannering was once again placed on care and maintenance in November 2012. In 2013 the owners of Mannering and Chain Valley Colliery (CVC) entered into an agreement with Centennial which enabled LakeCoal to operate Mannering until 2022. LakeCoal became the operator of MC effective 17 October 2013. The underground link road between CVC and Mannering was completed in October 2017.

LakeCoal was placed into Voluntary Administration on 3 October 2018. The receivers continued operation of the mines in the period 3 October 2018 to 1 April 2019. As of 1 April 2019, Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal) own and operate the two underground coal mines, CVC and MC. In the 2025 reporting period, mining was undertaken at CVC only, with the coal being transported underground to MC where the coal is sized and screened and sent directly to VPPS.

2.2 Mine Contacts

The Mannering Colliery contacts as at the end of the reporting period were:

Mine Manager: Joshua Cornford

Telephone:

Email:

Environment and Approvals Manager: Sean Pigott

Telephone:

Email:

Review Date	Next Review Date	Revision No	Document Owner	Page
27/03/2026	N/A	1	Environment & Approvals Manager	Page 8 of 79

Figure 1: Mannering Colliery Location and Regional Context



Source: EMM (2019); DFSI (2017); GA (2011)

- KEY
- Mannering Colliery project approval boundary
 - Rail line
 - Main road
 - Watercourse/drainage line
 - Waterbody
 - NPWS reserve
 - State forest

0 5 10 km
GDA 1994 MGA Zone 56

Regional context

Mannering Colliery
Modification 5
Figure 1.1



Review Date	Next Review Date	Revision No	Document Owner	Page
27/03/2026	N/A	1	Environment & Approvals Manager	Page 9 of 79

3 Approvals

3.1 Project Approval MP06_0311

MC was granted Project Approval MP06_0311 on 12 March 2008 which has since had five modifications, the most recent being Modification 5 approved on 26 June 2020 (MOD 5) which permitted an extension of mining operations until 31 December 2027 and the use of alternate bord and pillar mine designs. MOD 5 also permitted 2.1 million tonnes per annum (Mtpa) of ROM coal handling for the transfer of coal from CVC to VPPS, in accordance with CVCs approved extraction limit. MC was originally granted approval for the continued production of up to 1.1 Mtpa of run of mine (ROM) coal which was retained in MOD 5. All coal processed at MC is transported via a drift conveyor system to the surface and dedicated overland conveyor to VPPS for domestic energy generation.

Condition 8 within Schedule 5 of MP06_0311 requires the submission of an Annual Review to the satisfaction of the Planning Secretary and in accordance with the *Department of Planning and Environment (DPE), Annual Review Guideline, 2015*.

In 2022 Delta Coal completed an Environmental Impact Statement (EIS) to facilitate and application to consolidate the CVC Development Consent (SSD-5465) and the MC Project Approval (MP06_0311) into a single consent reflecting the joint operating nature of the two mines. The project, known as the Chain Valley Colliery Consolidation Project (SSD-17017460), seeks to extend the approved operating life until 31 December 2029 and allow for an area of secondary extraction within the MP06_0311 approval area. During 2025, the Department of Planning, Housing and Infrastructure (DPHI) completed its assessment and referred the Project to the Independent Planning Commission for determination in December.

3.2 Leases

In the 2022 reporting period all Mining Leases held under the Mannering Colliery Holding were transferred to the CVC holding. In the 2025 reporting period all leases were held under the CVC holding. The surface areas occupied by Mannering Colliery pit-top lie within the Central Coast Council local government area (LGA).

The CVC holding is shown on the Mine Locality Plan **Figure 2**. The applicable mining tenements which are overly the MC Project Approval boundary are listed in **Table 4 4**.

Table 4: Mining tenements

Mining Tenement	Holder	Grant date / Renewal date	Lease expiry date	Applicability
ML 1783	Great Southern Energy	22 April 2022	28 June 2028	Partial transfer of previous subleased area of CCL722 from Centennial Coal to GSE.



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Mining Tenement	Holder	Grant date / Renewal date	Lease expiry date	Applicability
ML 1782	Great Southern Energy	24 January 2022	29 July 2026	Partial Transfer of previous sublease area of CCL721 from Centennial coal to GSE. Surface lease for MC Pit-top.

It is noted that while the CVC holding boundary now incorporates a significant portion of what was the Mannering Colliery holding, Annual Reviews for the two Collieries remain separate and relate specifically to the activities occurring within the relevant Project Approval / Development Consent boundaries.

All Mannering Colliery surface operational areas are owned by Delta Power & Energy (Vales Point) Pty Ltd (trading as Delta Electricity) and are operated/occupied under a commercial agreement.

Review Date	Next Review Date	Revision No	Document Owner	Page
27/03/2026	N/A	1	Environment & Approvals Manager	Page 11 of 79

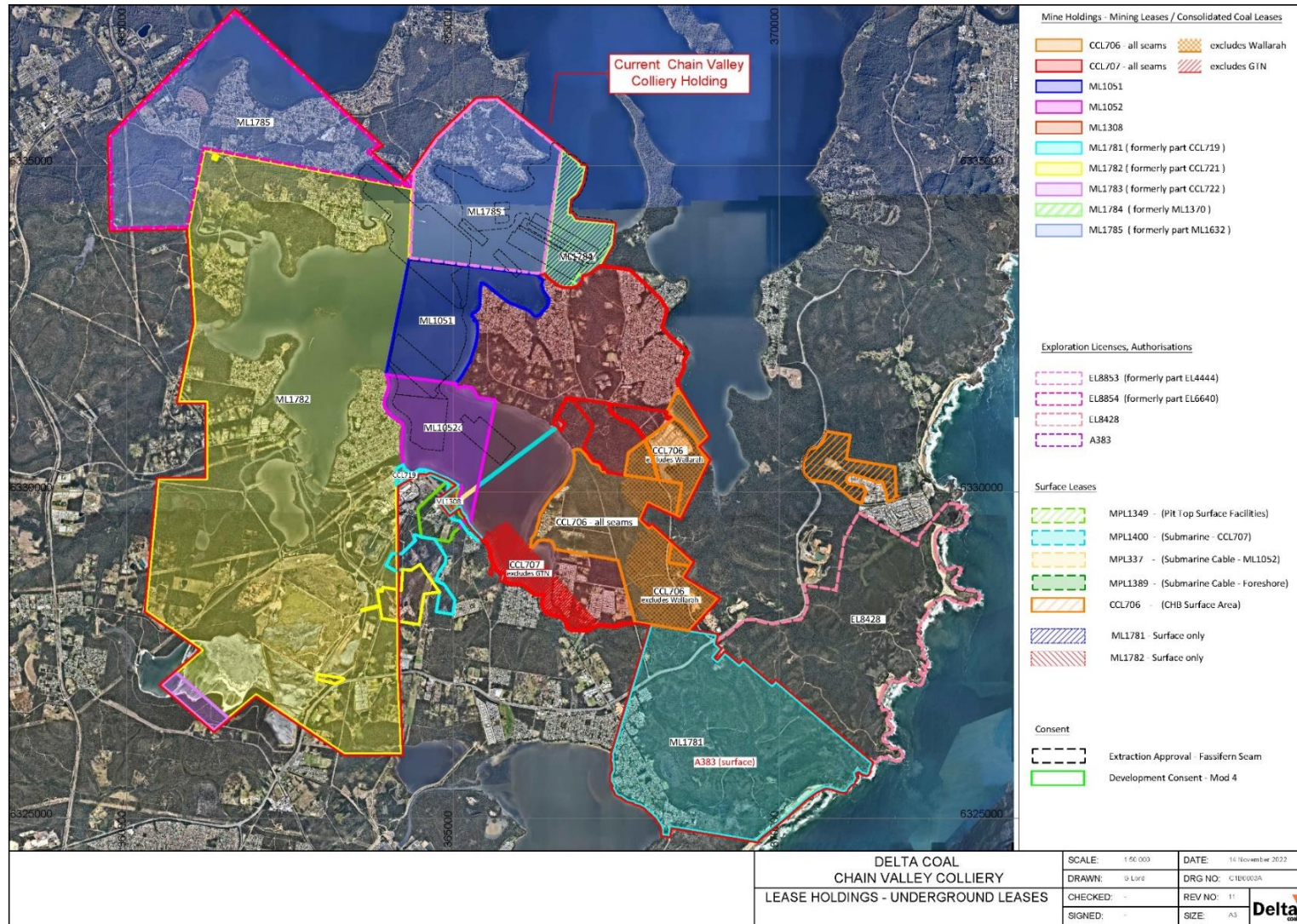
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TITLE Mannering Colliery Annual Review 2024

SITE Delta Coal

Figure 2 - Delta Coal Mining Tenements



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 12 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED



3.3 Licences

Environment Protection Licence (EPL) No. 191 issued by the Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act, 1997* covers the Collieries activities and premises. In June 2025, a varied licence was issued by the NSW EPA following finalisation of a review of EPL 191 undertaken in 2024, but there were no tangible alterations. The Licence Review identified the need to vary the licence to address a number of minor administrative issues (such as typographic errors and formatting) and to ensure the licence is clear, concise and improve its readability. The Licence Review also identified the need to include operating conditions specific to bunding requirements, and conditions relating to the operation of effluent utilisation areas to ensure the protection of the environment. These changes were made in the June 2025 version of EPL 191.

A current copy of EPL 191 is posted on the Delta Coal website, <https://www.deltapae.com.au/operations/chain-valley-colliery/mannering-colliery/mannering-colliery-environment-and-mining-approvals-and-licences> and is also provided in **Appendix 2**.

Monitoring results obtained in accordance with the licence conditions are made available on the Colliery website (updated monthly), under the environmental reporting page:

<https://www.deltapae.com.au/operations/chain-valley-colliery/mannering-colliery/copy-of-environment-monitoring-reports>

Delta Coal also holds Water Access License (WAL) 40461 issued under the *Water Act 1912* and permits the extraction of 450 ML per annum.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 13 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

4 Operations

4.1 Exploration

There was no exploration undertaken at Mannering Colliery during the reporting period.

4.2 Land Preparation

There was no land preparation undertaken during the reporting period, as a result the surface disturbance footprint remains unchanged.

4.3 Construction/Demolition

There were no construction or demolition works undertaken during the reporting period. General maintenance of existing infrastructure was undertaken.

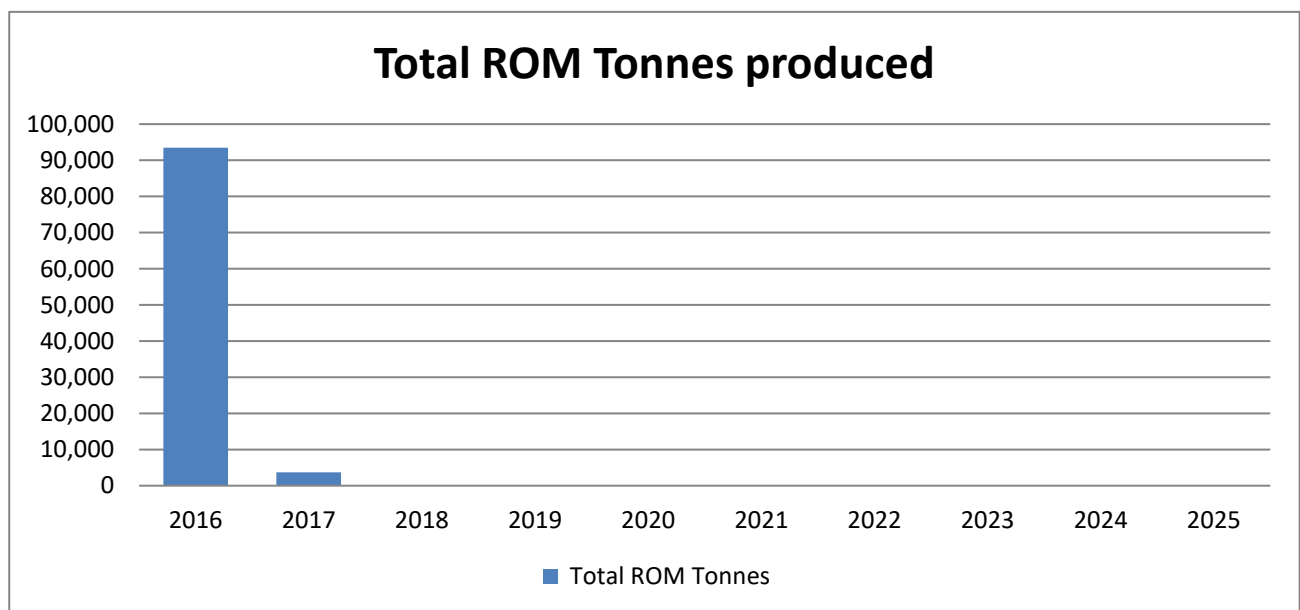
4.4 Mining

There were no mining activities undertaken at Mannering during the reporting period.

Figure 3 and Error! Reference source not found. **4** shows annual ROM production and coal handled at Mannering Colliery between 2016 and 2025. A production summary is provided in **Table 55**.

Existing workings in the Great Northern Seam are shown on the Great Northern Seam Workings Plan and existing workings within the Fassifern Seam are shown on Fassifern Seam Workings Plan presented as **Figure 5** and **Figure 6**.

Figure 3: Annual ROM Production Levels



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 14 of 79

Figure 4: Annual Product Coal Handled

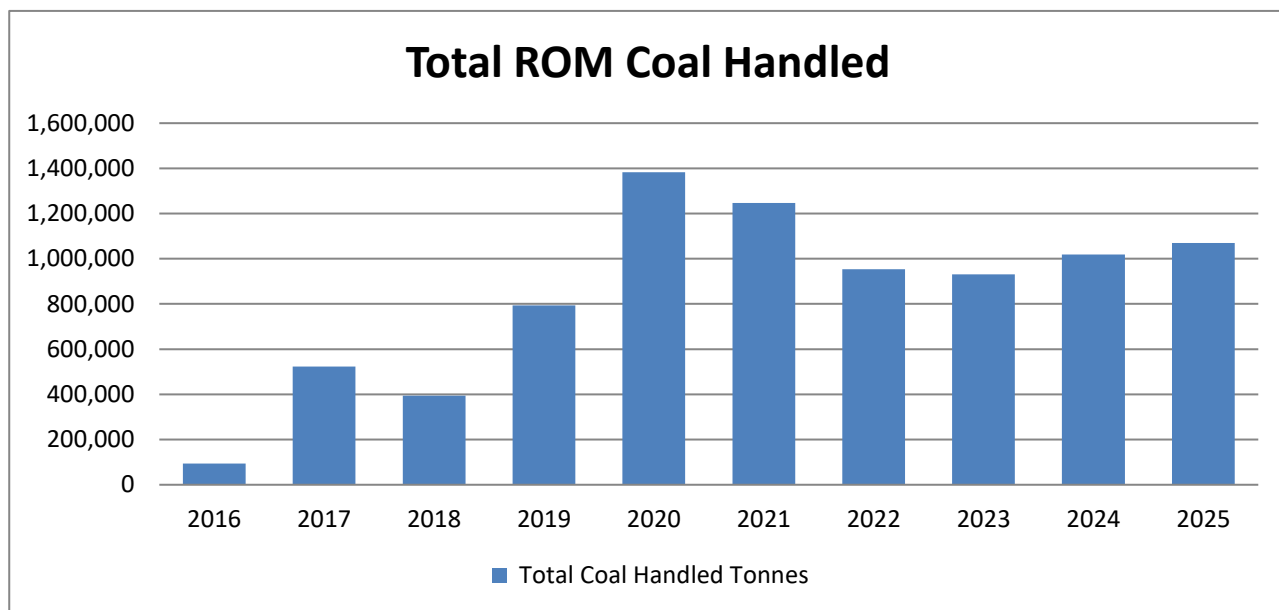


Table 5: Production Summary

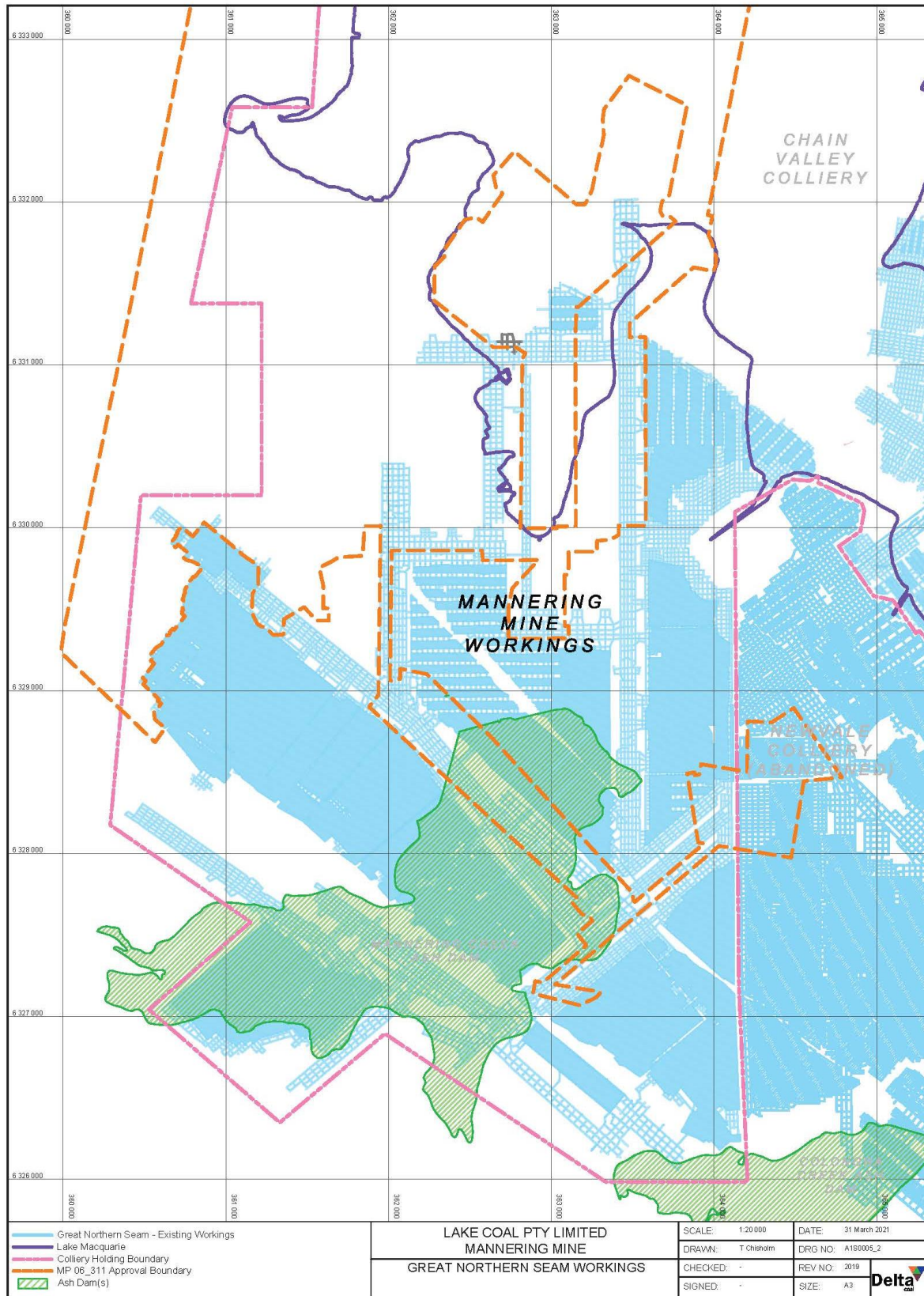
Material	Approved Limit (Mt)	Previous Reporting Period (Actual)	This Reporting Period (Actual)	Next Reporting Period
Waste Rock / Overburden	N/A	N/A	N/A	N/A
ROM Coal (mined)	1.1 Mt	0.0 Mt	0.0 Mt	0.0 Mt
Saleable Product (ROM Coal Handled)	2.1 Mt	1.0 Mt	1.07Mt	1.07Mt
Coarse Reject	N/A	N/A [^]	N/A [^]	N/A [^]
Fine Reject	N/A	N/A	N/A	N/A

[^] Mannering Colliery Rotary Breaker was decommissioned in 2020, as such, Mannering Colliery no longer produces coarse reject.

All coal handled at Mannering Colliery was dispatched to VPPS via conveyor and mined from Chain Valley Colliery. During the reporting period a total of 1,069,943 tonnes was dispatched to VPPS (domestic market).

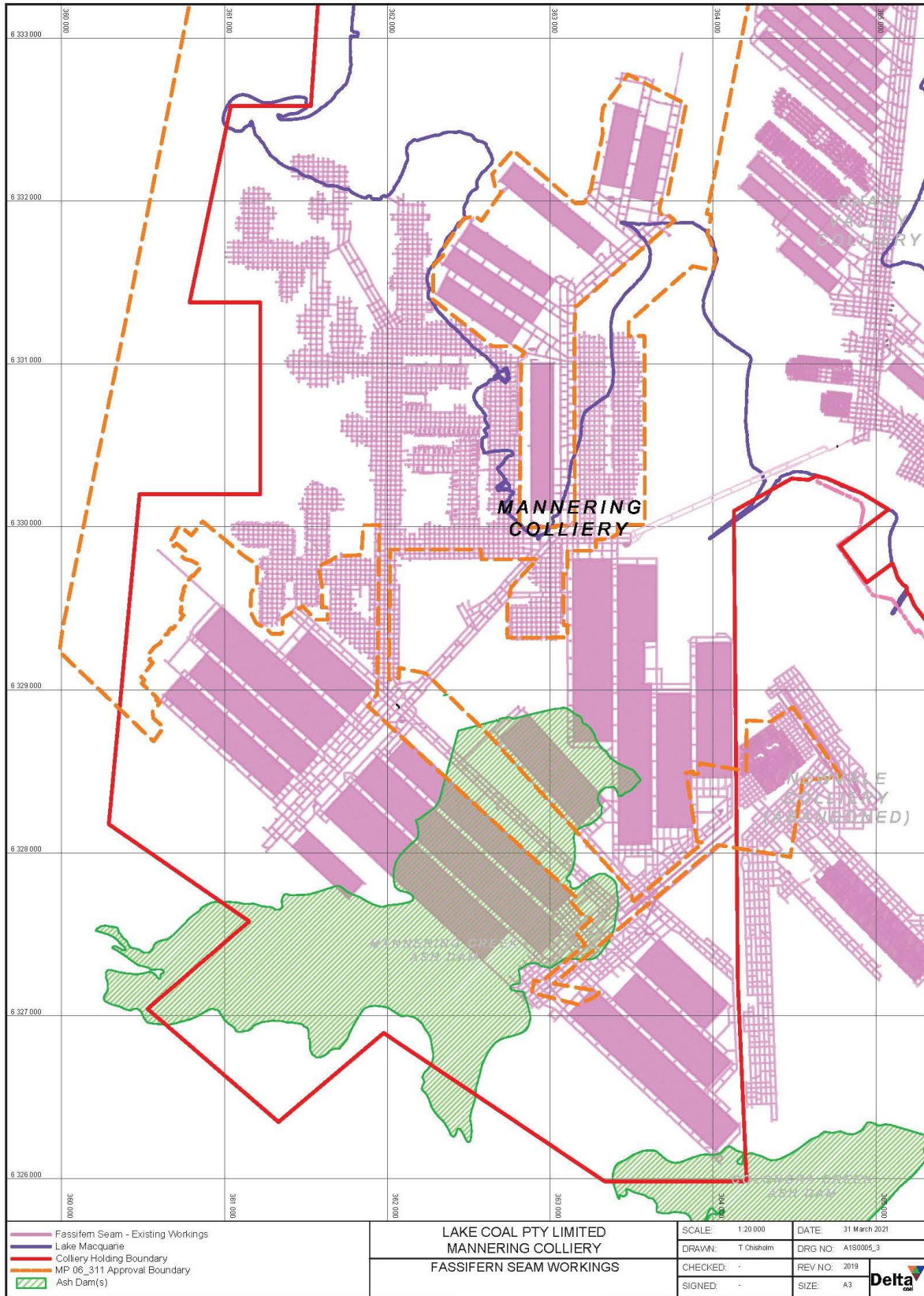
Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 15 of 79

Figure 5: Mannering Colliery Existing Great Northern Seam Workings



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 16 of 79

Figure 6: Mannering Colliery Existing Fassifern Seam Workings (including CVC Fassifern Workings to North-east)



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 17 of 79

4.5 Mine Geology

The most recent mining operations at Mannering Colliery have been located within the Fassifern Seam, which is part of the Boolaroo Formation within the Newcastle Coal Measures (see **Figure 7**). Overlying the Fassifern Seam are the Great Northern, Wallarah and Vales Point Seams (and their associated conglomerates and tuffs), which are part of the Moon Island Beach Formation within the Newcastle Coal Measures. The Wallarah and Fassifern Seams have been mined at Myuna Colliery to the north-east, while the Wallarah, Fassifern and Great Northern seams have been mined at CVC to the east.

The coal resource within the Fassifern and Great Northern seams has a low sulphur content, which makes it a preferable supply for power generation. Within the Colliery holding, the Fassifern Seam lies at around 150 to 205 metres deep and mining is based on a three-metre section of coal (approximate) beneath the B ply, which comprises approximately 1.0 to 1.2 metres of inferior coal left on the roof (Seedsman, 2011). The depth of cover to the Great Northern Seam is between approximately 140 and 155 metres and the typical seam thickness is 2.5 metres (Seedsman, 2011).

Previous workings within both of these seams are extensive. These workings, in conjunction with various geophysical surveys in the area, provide a solid base of data regarding regional and local structural features. The area within the Colliery holding is dissected by a number of north-west striking faults and dyke zones at a regional spacing of up to two kilometres, with drilling and surface magnetometer surveys confirming the locality of these structural features (Hanson Bailey, 2007).

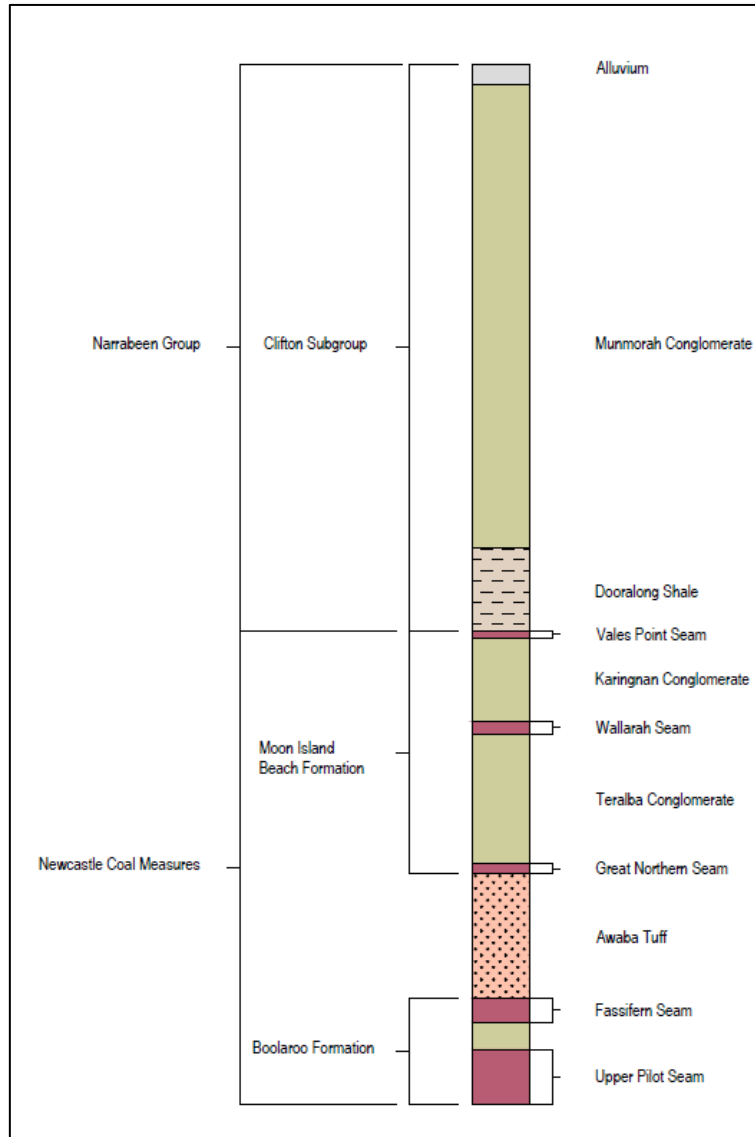
The stratigraphic sequence beneath the mine plan is comprised of three distinct units:

1. the upper Permian Newcastle Coal Measures, a sandstone/coal sequence with lesser siltstone;
2. the overlying Clifton Sub-group, which is the basal unit of the Triassic Narrabeen Group; and
3. quaternary to recent alluvial sediments.

The Great Northern Seam is separated from the Fassifern Seam within the Newcastle Coal Measure by approximately 25 to 30 metres. The strata directly below the Fassifern Seam are high strength sandstone formations, interbedded with thinner strata of other units such as shale, mudstone and coal (Hansen Bailey 2007). This interval between the Fassifern Seam and the Great Northern Seam is generally made up of two strata characterised in the lower section by the Awaba Tuff, which is the stone roof of the Fassifern Seam, and a conglomerate/coarse-grained sandstone unit in the upper section (Hansen Bailey, 2007). The roof of the Great Northern Seam is Teralba Conglomerate (Seedsman, 2011).

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 18 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

Figure 7 - Typical Stratigraphy at Mannering Colliery



4.6 Mineral Processing

ROM coal was sized above ground at the Mannering Colliery Coal Handling and Preparation Plant (CHPP) during the 2025 reporting period. Product coal (ROM) is transported from the CHPP to VPPS via an overland conveyor system.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 19 of 79

4.7 Waste Management

Delta Coal continued to implement a total waste management system for the site during the reporting period. The waste streams provided for in 2025 included:

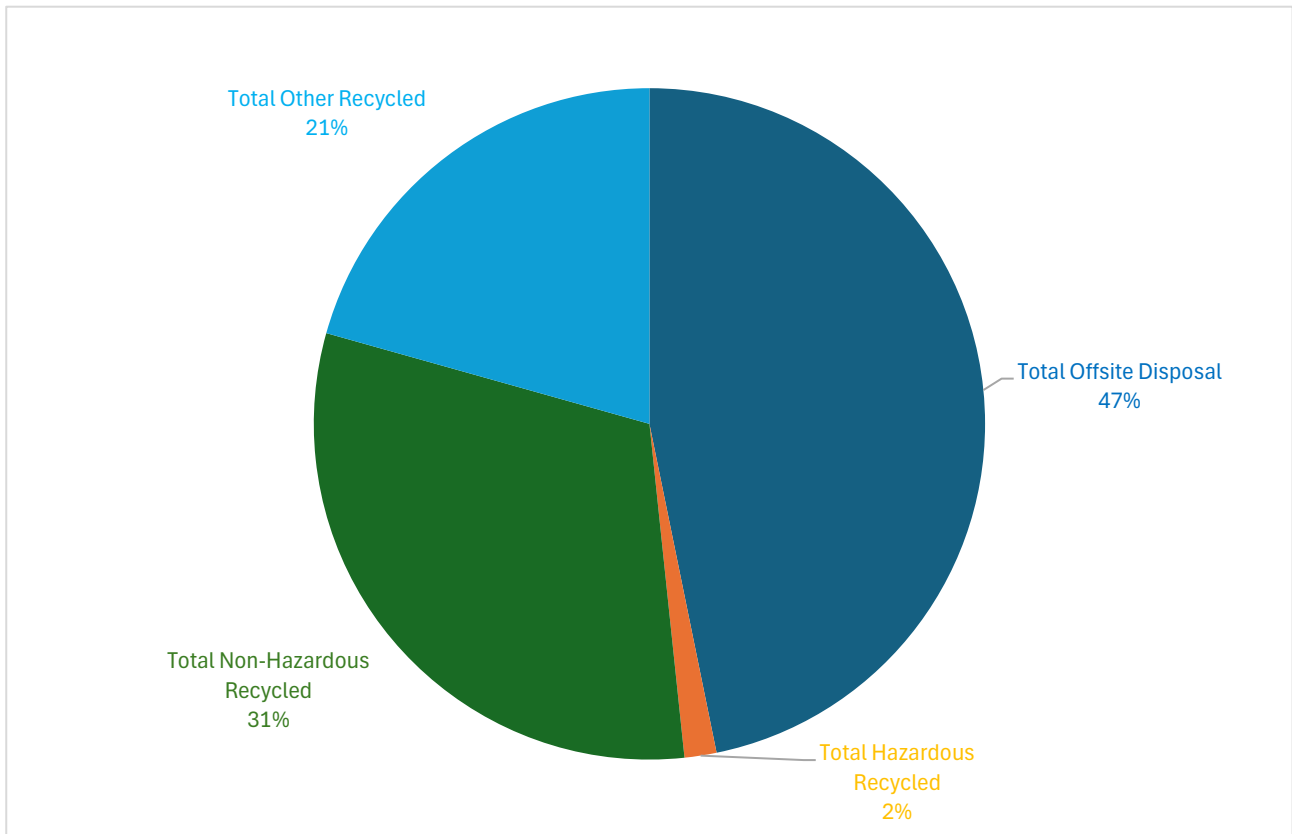
- Other (recycle) - 21 t (21%)
- General waste (disposal) - 48 t (47%)
- Non-hazardous (recycle) - 32 t (31%)
- Hazardous (recycle) - 1.6 t (2%)

A total of 53% of waste generated from the Mannering Colliery facility was recycled in the 2025 reporting period.

The total waste management system also involves weekly site inspections by the waste management contractor to facilitate effective waste management and continual improvement along with monthly reporting, with data from key waste streams presented in **Figure 8**. The total waste management system will continue during the next reporting period.

Sewage generated by on-site staff amenities is pumped directly from Mannering Colliery to Mannering Park sewage treatment plant via a dedicated pipeline.

Figure 8: Waste Streams and Volumes for Mannering Colliery



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 20 of 79



4.8 Stockpiles

When operating, delivery of coal to VPPS occurs via dedicated overland conveyor directly to the power station. Stockpiling of coal at Mannering Colliery only occurs when coal transfer system to VPPS is unavailable and the surface ROM coal bin has been fully utilised. The stockpile has a nominal capacity of approximately 25,000 tonnes. Prior to being received to the stockpile, coal is preferentially held in the pit-top ROM Coal bin, with a capacity of approximately 5000 tonnes.

There were no changes to the coal stockpile area during the reporting period.

4.9 Hazardous Materials Management

A hazardous chemicals and dangerous goods register is maintained onsite and electronically through 'ChemWatch' to assist in management of risks to health and the environment.

There have been no significant changes made to the management of hazardous materials during the reporting period.

4.10 Other Infrastructure Management

No significant changes have been made to other infrastructure during the reporting period.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 21 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

5 Actions Required from Previous Annual Review

5.1 Actions required from previous Annual Review

Delta Coal received formal acknowledgement from DPHI on 25 June 2025 that the MC 2024 Annual Review generally satisfied the project approval requirements. There were no items requiring amendment or future actions from the DPHI review.

5.2 Delta Coal Environmental Management System

Environmental management at MC is structured through the environmental management system based on the company’s Environmental Policy. The risk assessment of environmental aspects and impacts at MC forms the basis of environmental impact mitigation and control and will be reviewed throughout the life of the Colliery.

The Environmental Management Strategy provides the overview of the environmental management system which has been visually presented in **Figure 9**. Modification 5 to MP06_0311 was granted in June 2020 and allowed the combination of Chain Valley Colliery and Mannering Colliery management plans where practicable and approved by the Planning Secretary. A summary of combined environmental management plans is detailed below:

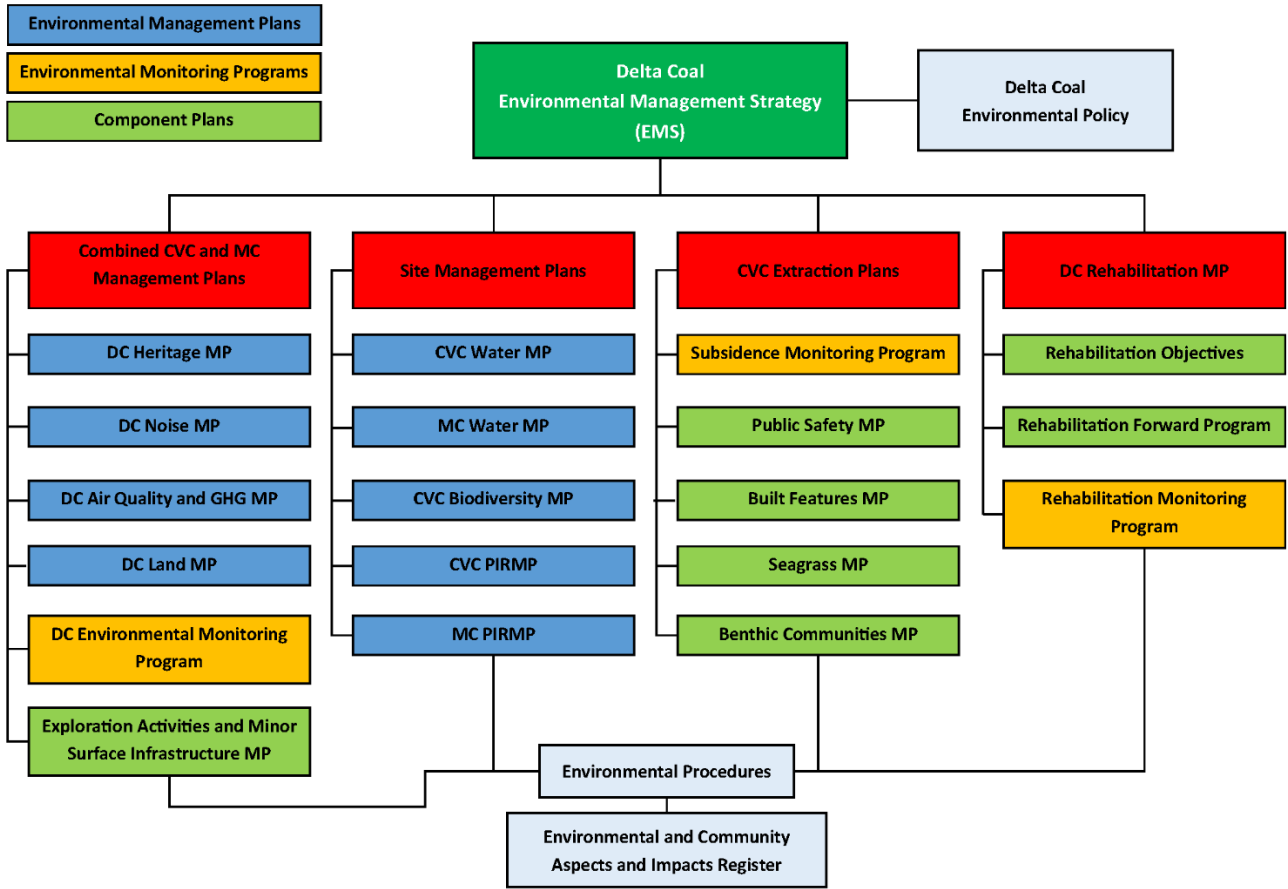
- Delta Coal Environmental Management Strategy (incorporating Environmental Monitoring Program);
- Delta Coal Noise Management Plan (combining the Mannering Colliery Noise Management Plan and Noise Monitoring Program and CVC Noise Management Plan);
- Delta Coal Air Quality and Greenhouse Gas Management Plan (combining CVC Air Quality Management Plan and Mannering Colliery Air Quality and Greenhouse Gas Management Plan); and
- Delta Coal Heritage Management Plan (combining CVC Heritage Management Plan, Mannering Colliery Aboriginal Cultural Heritage Management Plan and Mannering Colliery Non-indigenous Management Plan).

The Delta Coal Land Management Plan was pending approval by the Planning Secretary at the end of the 2024 reporting period. At the end of the 2025 reporting period, the Land Management Plan is still pending approval.

Table 6 provides the status of MC’s Environmental Management Plans.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 22 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

Figure 9 - Environmental Management Strategy Summary



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 23 of 79



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Table 6: Primary Elements of the Environmental Management System

Document Title	Reviewed	Status
Delta Environment Policy	July 2025	Current
Delta Coal Environmental Management Strategy	July 2024	Current
Delta Coal Environmental Monitoring Program	July 2024	Current - Appended to the combined Delta Coal Environmental Management Strategy
Environmental Aspects and Impacts Register and Risk Assessment	June 2020	In revision
Mannering Colliery Water Management Plan	November 2022	Current
Delta Coal Air Quality and Greenhouse Gas Management Plan	January 2024	Current
Delta Coal Noise Management Plan	April 2022	Current
Delta Coal Heritage Management Plan	September 2023	Current
Delta Coal Land Management Plan	Not yet approved	Submitted to DPHI for approval.
Mannering Colliery Land (including Bushfire) Management Plan	December 2019	To be replaced by Delta Coal Land Management Plan upon approval.
Rehabilitation Management Plan	November 2023	Current
Pollution Incident Response Management Plan (PIRMP)	December 2025	Current
Environmental Inspection Forms	May 2023	Current
Complaints Register	December 2025	Updated monthly on www.deltacoal.com.au

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 24 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

6 Environmental Performance

6.1 Air Pollution

The Mannering Colliery: Continuation of Mining Environmental Assessment by Hansen Bailey (March 2007), states the following summary of relevant predictions and trends associated with air quality, specifically depositional dust at Mannering Colliery:

- The estimated total emissions from the mine and operation of the overland conveyor from Mannering to Vales Point Power Station will remain small, at less than 2 g/s. This level of emission will not affect the PM₁₀, TSP or deposition levels significantly at the closest residential location.
- The 24-hour PM₁₀ concentrations will exceed the 50 µg/m³ assessment criterion during periods when bushfires are contributing high concentrations of smoke to the air, or remote dust storms transport significant quantities of particulate matter into the Lake Macquarie air shed.
- Since the mine's ventilation system is already part of the existing operations and the effect of the emissions from the ventilation system will be captured in the historical monitoring data, the only new emissions (i.e. TSP) will be 733 kg/y or 0.023 g/s, which is even less than the 1.5 g/s due to all sources.
- In the 2015 modification, the TSP figures presented in the 2007 assessment were contemporised and incorporated revised assumptions for the operation. The emission rate as a result of the modification, though increasing marginally, is still below the previously identified 2 g/s. As a consequence, it was concluded that this will not result in any noticeable change in the concentrations of particulate matter at sensitive receivers.
- To facilitate Modification 5 (June 2020), potential TSP emissions were modelled to consider an increase in coal handling at MC (assumed 20% of total ROM coal produced is handled via the sites stockpile). While increasing marginally, the emissions rate as a result of the modification was modelled to remain below 2 g/s.

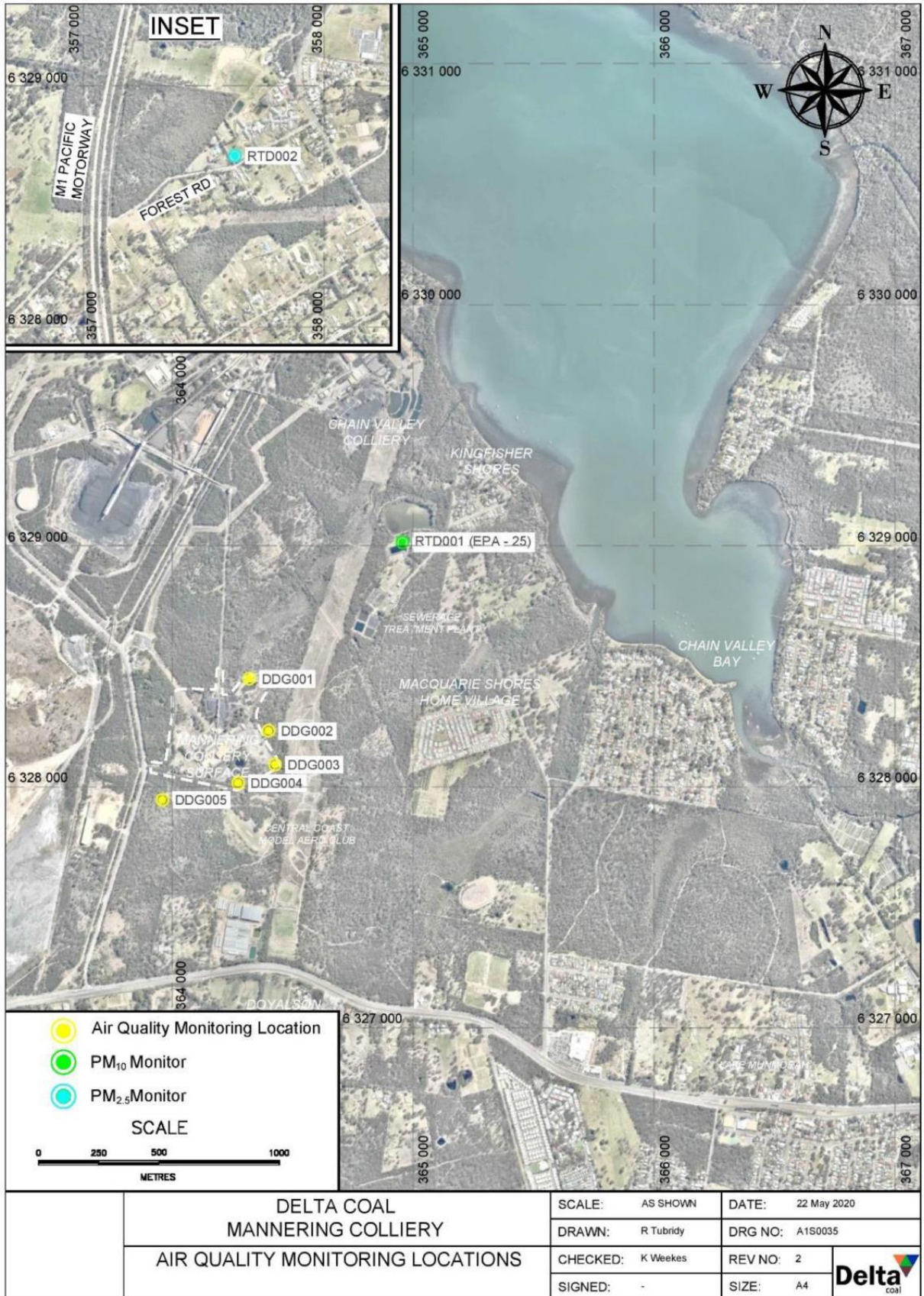
In accordance with Schedule 3, Condition 16 of MP06_0311, it must be ensured that all reasonable and feasible avoidance and mitigation measures are employed so that particulate emissions generated by Mannering Colliery do not cause exceedances of the criteria listed in **Table 7** at any residence on privately owned land. Air quality monitoring locations are presented on **Figure 10**.

Table 7: Mannering Colliery, Air Quality Criteria

Pollutant	Averaging Period	Criterion
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³
	24-hour	^b 25 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³
	24-hour	^b 50 µg/m ³
Total suspended particulate (TSP)	Annual	^{a, c} 90 µg/m ³
Deposited dust	Annual	^b 2 g/m ² /month ^a 4 g/m ² /month

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 25 of 79

Figure 10 - Mannering Colliery Air Quality Monitoring Locations



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 26 of 79

6.1.1 Depositional Dust

To measure the effectiveness of the Mannering dust control measures, a network of dust depositional monitoring gauges has been established for surface operations and coal stockpile dust emissions. Depositional gauges are located within the Mannering perimeter, a total of 5 depositional gauges are utilised. Dust deposition gauge locations are shown on **Figure 10**.

Table 8 describes the location of dust monitoring points as outlined in EPL 191 Condition 2, P1.1.

Table 8: Depositional dust monitoring points

Site ID no.	EPA ID no.	GPS Coordinates	Location
DG1	3	Easting 364319 Northing 6328448	North-west of final dam
DG2	4	Easting 364399 Northing 6328232	North of hardstand area
DG3	5	Easting 364427 Northing 6328092	North-east of hardstand area
DG4	6	Easting 364273 Northing 6328016	East of car park
DG5	7	Easting 363959 Northing 6327946	South of main site entry

During the reporting period monitoring was undertaken in accordance with the approved Air Quality Management Plan and EPL 191 licence conditions. Depositional dust monitoring results are shown in **Table 9**. The rolling annual averages for 2025 and longer term annual average results (from 2006 - 2025) are presented on **Figure 11** and **Figure 12** respectively.

No complaints relating to dust or air pollution were received in the reporting period.



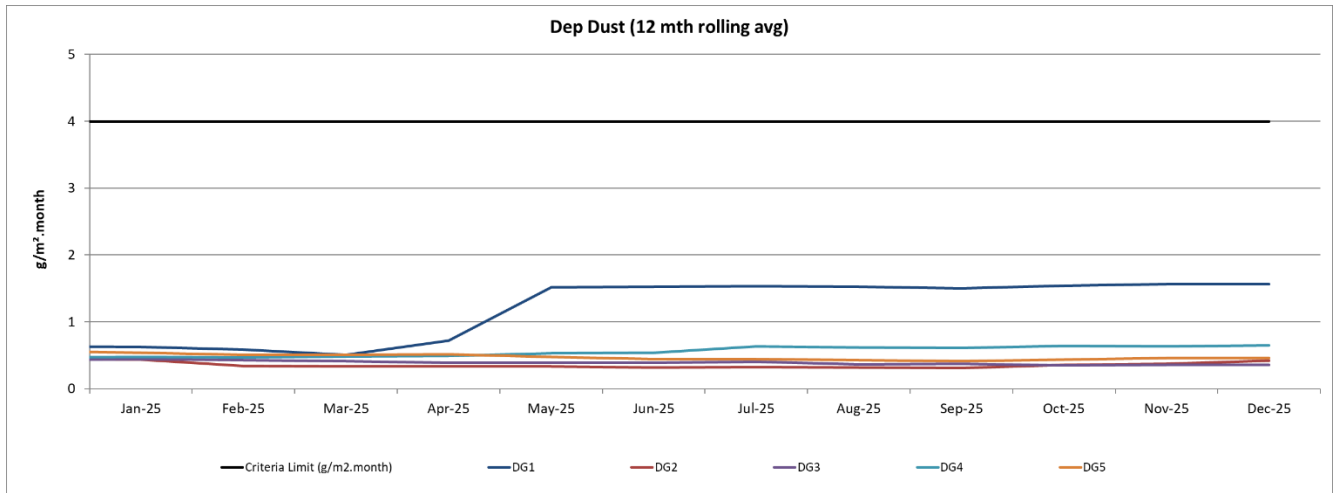
TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Table 9: Depositional Dust Results for 2025

Sampling Point	DG1 (EPA ID#3)	DG2 (EPA ID#4)	DG3 (EPA ID#5)	DG4 (EPA ID#6)	DG5 (EPA ID#7)
Month	Insoluble Solids	Insoluble Solids	Insoluble Solids	Insoluble Solids	Insoluble Solids
Jan-25	0.50	0.60	0.80	1.20	0.50
Feb-25	0.80	0.20	0.40	0.60	0.80
Mar-25	0.10	0.30	0.20	0.30	0.20
Apr-25	2.60	0.20	0.10	0.40	0.40
May-25	10.00	0.30	0.20	64.0c	0.30
Jun-25	0.40	0.10	0.20	22.9c	0.20
Jul-25	0.20	0.20	0.20	1.10	0.30
Aug-25	0.50	0.30	0.30	0.70	0.50
Sep-25	0.20	0.10	0.30	0.30	0.40
Oct-25	1.00	1.00	0.30	0.70	0.70
Nov-25	0.50	0.70	0.50	0.40	0.50
Dec-25	2.00	1.00	0.80	0.80	0.70
Minimum	0.10	0.10	0.10	0.30	0.20
Maximum	10.00	1.00	0.80	1.20	0.80
Annual Average	1.57	0.42	0.36	0.65	0.46

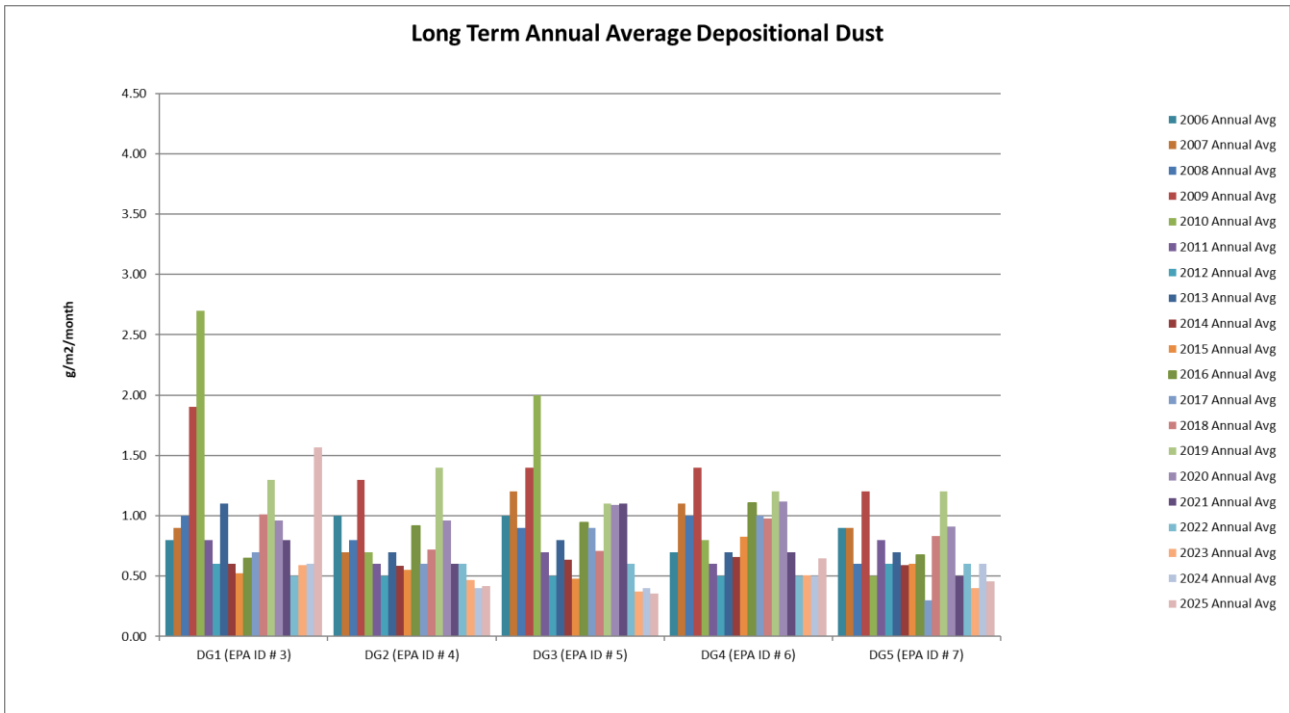
Figure 11: Rolling 12 Month Averaged Depositional Dust Results 2025



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 28 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

Figure 12: Rolling Annual Average Dust Depositional Results 2006 - 2025



Air quality monitoring results in the 2025 reporting period show that air monitoring criteria has been met and the recorded levels do not exceed the prescribed maximum increase in deposited dust levels of 2 g/m²/month or maximum annual level of 4 g/m²/month. Average annual results were below 2 g/m²/month at all monitoring locations.

A comparison of annual average results from 2025 compared with prior years is provided in **Figure 12**. Results were generally similar to previous years in annual average values at all locations with exception to DG1 which increased from 0.6 to 1.57 g/m²/month. The 2025 depositional dust levels were comparable with years the colliery was in care and maintenance where no production or coal handling was undertaken at the site (2013-2015).

In comparison to the predicted trends and EA data, the air quality results within the 2025 reporting year were less than the predicted 2g/m²/month.

6.1.2 PM₁₀

Delta Coal monitors PM₁₀ concentrations at a real-time air quality monitor which was installed in late 2013 within the Manning Park Wastewater treatment Plant site. The site is identified on **Figure 10** as RTD001.

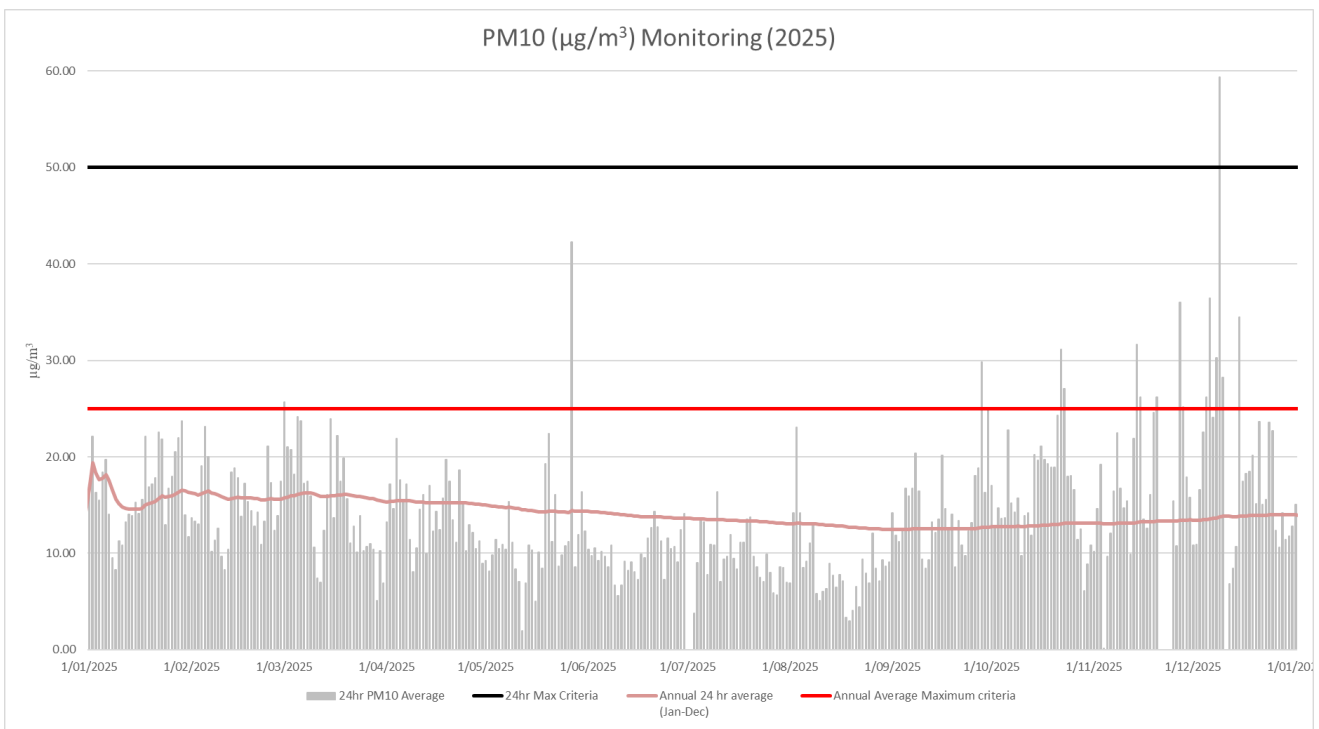
Data capture from the real time monitor for the 2025 period was 98.1% with 358 days monitored of 366 available days.

The annual average criterion (25 µg/m³) was not exceeded during the 2025 period, with the 2025 annual average of 24hr PM₁₀ results being 14 µg/m³. Daily results, the rolling average and relevant limits are shown on **Figure 13**.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 29 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

Daily (24-hour) results ranged from a minimum of 0.1 $\mu\text{g}/\text{m}^3$ to a maximum of 59.4 $\mu\text{g}/\text{m}^3$ during 2025. The high result of 59.4 $\mu\text{g}/\text{m}^3$ was recorded on 9 December 2025 and was found to be a result of regional air quality impacts due to a number of bushfires burning across the region. On 2 February 2026, DPHI confirmed via email that “that the bushfire events in the region produced widespread smoke and haze on the above date and therefore declare this date an “extraordinary event” for the Chain Valley Colliery & Manning Colliery under the terms of note c of Schedule 3 condition 11 of development consent SSD 5465 and Schedule 3 condition 16 of MP06_0311. As such, the air quality criterion does not apply on this date.” As such, no non-compliance with the consent has been recorded.

Figure 13 - PM₁₀ Particulate Monitoring at Manning Park Waste Water Treatment Plant



6.1.3 PM_{2.5}

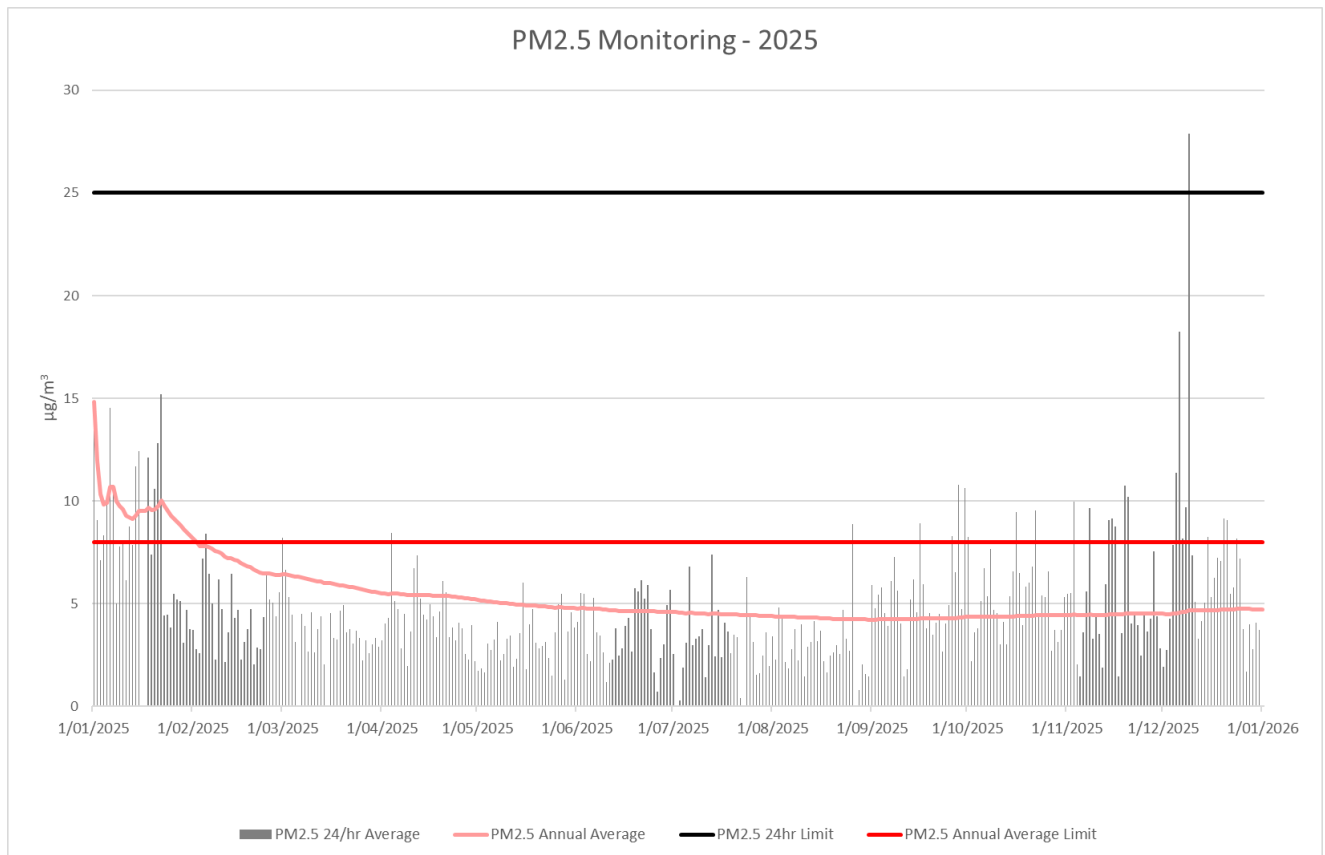
In accordance with Table 3, Condition 16 of Schedule 3 MP06_0311 Delta Coal commenced monitoring of PM_{2.5} concentrations in 2020 following the approval of Modification 5 to MP06_0311. PM_{2.5} monitoring for the 2025 period utilised Delta Electricity’s TEOM unit during the reporting period at the monitoring location at Tingley Road, Wyee as shown on the inset-on **Figure 10**.

Delta Coal’s arrangement to monitor PM_{2.5} was approved within Delta Coal Air Quality and Greenhouse Gas Management Plan last approved in January 2024. PM_{2.5} concentrations for the 2025 reporting period have been displayed on **Figure 14**. The average PM_{2.5} concentration for the period of 1 January 2025 to 31 December 2025 was 4.8 $\mu\text{g}/\text{m}^3$ with 24/hour averages ranged from a minimum of 0.3 $\mu\text{g}/\text{m}^3$ and a maximum of 27.8 $\mu\text{g}/\text{m}^3$.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 30 of 79

The high result of 27.8 µg/m³ was recorded on 9 December 2025 and was found to be a result of regional air quality impacts due to a number of bushfires burning across the region. On 2 February 2026, DPHI confirmed via email that “that the bushfire events in the region produced widespread smoke and haze on the above date and therefore declare this date an “extraordinary event” for the Chain Valley Colliery & Mannering Colliery under the terms of note c of Schedule 3 condition 11 of development consent SSD 5465 and Schedule 3 condition 16 of MP06_0311. As such, the air quality criterion does not apply on this date.” As such, no non-compliance with the consent has been recorded.

Figure 14: PM_{2.5} Particulate at Wye Air Quality Monitoring Station



6.2 Erosion and Sedimentation

Mining operations and significant rainfall events have the potential to cause erosion and/or generate sediment and impact on the surrounding catchment areas. Sources of potential erosion were unchanged during the reporting period and include:

- the exposed areas of the laydown areas, workshop and internal access tracks
- coal stockpiles and coal handling equipment areas; and
- vehicle and equipment movements.

The site includes a series of 9 silt traps. These are inspected weekly for functionality and maintenance purposes. Identified actions are provided to the relevant site personnel by the site Environment and Approvals Coordinator or their delegate for completion as required.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 31 of 79

Water not managed by the clean water diversion structures enters the sediment ponds. The water draining from the hardstand catchment area reports to the sediment basin, Pond 1. Pond 1 will if required overflow into Pond 2, which then flows into Pond 3 and then Pond B prior to being discharged from site via LDP001. Total suspended solids, electrical conductivity, pH, and oil and grease concentrations are monitored weekly at EPA Point 1 (as identified in EPL 191) point of the final dam during discharge (refer to **Section 7.3** for results).

Runoff from the coal handling and stockpile area is contained by a sedimentation-based sump system that helps capture the coal fines prior to entering sediment Pond 1 below the stockpile. Runoff from this area can contain coal fines due to the nature of the activities. This Pond along with Ponds 2 and 3 also function as primary settling ponds before discharging into Pond B. The flocculent system consists of solid flocculent blocks, situated at four locations leading into, or within, the sediment pond system. The flocculent blocks are situated at the following four locations:

- pipeline entry of hardstand area catchment into Pond 1;
- concrete drainage channel from the coal stockpile catchment into Pond 2 (Photo 1);
- outlet of the subsurface drainage system leading into Pond 1; and
- at the outlet of the concrete pipe transferring water into the final dam (Pond B).



Photo 1. Flocculent block located adjacent the coal stockpile area.

The flocculant system was utilised throughout 2025 to manage suspended solid material.

Both volumetric flow and water quality results from the licenced discharge point continue to be reported on a monthly basis on the Delta Coal website.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 32 of 79

6.3 Contaminated Land

Mannering has a number of primary diesel and oil storages, which are bunded. There were no significant spills during the reporting period or reports of polluted land. A Phase One Environmental Site Assessment (ESA) has been completed which identified areas of potential contamination. Phase 2 investigations and assessment are likely to be carried out over these areas during the decommissioning stage at end of mine life. Potential areas of concern are the land surrounding the diesel storage and the surface workshop. The development of a Remedial Action Plan following the Phase 2 assessment would occur, if required, based on the results from the site assessment.

The NSW EPA requested a PFAS sampling report in 2018 and this sampling and a subsequent report was provided.

6.4 Threatened Flora

In accordance with the EA (2007), Mannering’s environmental footprint, specifically the surface facilities will remain unchanged and any mining activities undertaken at any point will have no noticeable surface implications. There will be no impact on existing flora or fauna within the Environmental Assessment boundary. As such, no known impacts to threatened flora during the reporting period as a result of the Colliery’s operations.

6.5 Threatened Fauna

No clearing works were undertaken during the reporting period and as a result potential to impact to threatened fauna or other native fauna was minimised.

As discussed in **Section 4.10** there were no significant changes to the existing infrastructure. The sites footprint remained unchanged during the reporting year.

6.6 Weed Management

Identification, treatment and ongoing monitoring are the key steps in managing weeds that surround the surface infrastructure area.

During the reporting period Delta Coal engaged a land-care contractor to undertake a weed control campaign across its operational areas. The main weeds targeted included Bamboo, Lantana, Bitou Bush, and Pampas Grass. See **Appendix 3** for the Weed Action Plan. Delta Coal will be continuing the weed control program in the 2026 reporting period.

6.7 Blasting

There was no surface blasting undertaken during the reporting period.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 33 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

6.8 Operational Noise

The current Delta Coal Noise Management Plan approved in March 2022 incorporates the noise monitoring requirements for Mannering Colliery. Noise monitoring is currently undertaken on a monthly basis, which increased from quarterly in November 2019. Noise monitoring results have been compiled in **Appendix 4**

Noise monitoring locations are shown on **Figure 166**, and criteria are detailed in **Table 100**.

Table 10: Noise Monitoring Locations and Criteria for Mannering Colliery

Location	Coordinates	Day LAeq(15 min)	Evening LAeq(15 min)	Night LAeq(15 min)	Night LA1(1 min)
RA1	364646E 6327221N	40	36	36	46
RA2	365164E 6328332N	40	40	40	45
RA3	365069E 6328953N	40	39	39	49

Noise emissions from MC are currently managed in accordance with the approved Noise Management Plan. In summary, within the Annual Review reporting period, noise from Mannering was found to be compliant at the three noise monitoring locations.

Noise monitoring results during the AR reporting period generally reflect that MC is not the dominant source of environmental noise within the vicinity, this was also noted within the sites EA. In accordance with the Hanson Bailey (2007) report within the EA and based on environmental assessment and historical noise levels it is considered that MC is operating within acceptable noise emissions.

In accordance with Condition 3(d)i of Schedule 3 MP06_0311, Delta Coal installed an unattended directional noise logger in February 2020 at Short Street, within Macquarie Shores Home Village adjacent noise monitoring location RA2. The logger has remained in operation throughout the reporting period and has real-time warning and alarming systems to assist in determining real-time noise emissions of Mannering Colliery. The logger is calibrated on a monthly basis and unattended noise monitoring results are compared with attended noise monitoring results to indicate the accuracy of the logger data.

In the 2022 Independent Environmental Audit for MC undertaken by GHD Action 7 requires that Delta Coal include data trends for noise monitoring. Trends for noise monitoring between January 2021 and December 2025 are presented in **Table 11** for LA_{EQ} (15 min) and **Table 12** for LA_(1 min). The LA_{EQ} (15 min) results are also displayed on **Figure 15**.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 34 of 79

Table 11: Site Noise Contribution 2021-2025 LA_{Eq} (15 min)

Site Contributions Noise LAEQ (15 min)						
	RA1 Evening	RA1 Night	RA2 Evening	RA2 Night	RA3 Evening	RA3 Night
Jan-21	IA	IA	IA	IA	IA	IA
Feb-21	IA	IA	IA	IA	IA	IA
Mar-21	IA	IA	<40	<40	IA	IA
Apr-21	IA	IA	IA	IA	IA	IA
May-21	IA	IA	<36	IA	≤35	≤32
Jun-21	IA	IA	37	38	<36	≤36
Jul-21	<36	IA	IA	<40	IA	<39
Aug-21	≤36	IA	IA	39	<35	<39
Sep-21	IA	IA	IA	≤40	IA	<39
Oct-21	<36	<36	IA	<30	IA	IA
Nov-21	IA	IA	≤30	33	<35	≤35
Dec-21	IA	<35	IA	≤35	IA	IA
Jan-22	IA	IA	IA	IA	IA	IA
Feb-22	IA	IA	IA	IA	IA	IA
Mar-22	IA	IA	IA	IA	<30	IA
Apr-22	IA	IA	<37	39	IA	<36
May-22	IA	IA	<38	≤39	IA	<39
Jun-22	IA	IA	IA	39	IA	IA
Jul-22	IA	IA	<35	IA	IA	IA
Aug-22	IA	IA	<35	<35	IA	IA
Sep-22	IA	IA	IA	IA	IA	IA
Oct-22	IA	IA	IA	IA	IA	IA
Nov-22	IA	IA	<36	<38	<39	<39
Dec-22	IA	IA	<39	42	IA	38
Jan-23	IA	IA	IA	IA	IA	IA
Feb-23	IA	IA	IA	<30	IA	IA
Mar-23	IA	IA	IA	30	IA	IA
Apr-23	IA	IA	IA	<37	IA	IA
May-23	IA	IA	<40	IA	IA	IA
Jun-23	IA	35	<40	<40	IA	IA
Jul-23	IA	IA	IA	IA	IA	IA
Aug-23	IA	IA	IA	IA	IA	IA
Sep-23	IA	IA	IA	IA	IA	IA
Oct-23	IA	IA	IA	IA	IA	IA
Nov-23	IA	IA	IA	IA	IA	IA
Dec-23	IA	IA	IA	IA	IA	IA
Jan-24	IA	IA	IA	IA	IA	IA
Feb-24	IA	IA	IA	<33	IA	<35
Mar-24	IA	IA	IA	IA	IA	IA
Apr-24	IA	IA	IA	IA	38	IA

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 35 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED



Site Contributions Noise LAEQ (15 min)						
	RA1 Evening	RA1 Night	RA2 Evening	RA2 Night	RA3 Evening	RA3 Night
May-24	IA	IA	<40	40	<39	<39
Jun-24	IA	IA	37	36	35	37
Jul-24	IA	IA	39*	39	<39	<39*
Aug-24	IA	IA	IA	IA	IA	IA
Sep-24	IA	IA	IA	IA	IA	IA
Oct-24	IA	IA	IA	IA	IA	IA
Nov-24	IA	IA	IA	IA	IA	IA
Dec-24	IA	IA	IA	IA	IA	IA
Jan-25	IA	IA	IA	IA	IA	IA
Feb-25	IA	IA	IA	IA	IA	IA
Mar-25	IA	IA	IA	IA	IA	IA
Apr-25	IA	IA	<20	IA	IA	IA
May-25	IA	NM	IA	31	IA	IA
Jun-25	IA	IA	27	<20	IA	IA
Jul-25	IA	<25	<25	<20	IA	<20
Aug-25	IA	IA	IA	IA	IA	IA
Sep-25	IA	IA	IA	IA	IA	IA
Oct-25	IA	IA	IA	IA	IA	IA
Nov-25	IA	<20	<24	IA	<28	IA
Dec-25	IA	IA	IA	<25	<20	IA

IA = Inaudible

Table 12: Site Noise Contribution 2021-2025 LA₁ (1 min)

Site Contributions LA1			
	RA1 Night	RA2 Night	RA3 Night
Jan-21	IA	IA	IA
Feb-21	IA	IA	IA
Mar-21	IA	<40	IA
Apr-21	IA	IA	IA
May-21	IA	IA	≤32
Jun-21	IA	41	36
Jul-21	IA	<40	<39
Aug-21	IA	40	<39
Sep-21	IA	45	≤39
Oct-21	<36	<38	IA
Nov-21	IA	37	36
Dec-21	<35	38	IA
Jan-22	IA	IA	IA
Feb-22	IA	IA	IA
Mar-22	IA	IA	IA
Apr-22	IA	40	<36

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 36 of 79



Site Contributions LA1			
	RA1 Night	RA2 Night	RA3 Night
May-22	IA	<45	<49
Jun-22	IA	44	IA
Jul-22	IA	IA	IA
Aug-22	IA	≤35	IA
Sep-22	IA	IA	IA
Oct-22	IA	IA	IA
Nov-22	IA	<39	<49
Dec-22	IA	44	42
Jan-23	IA	IA	IA
Feb-23	IA	<30	IA
Mar-23	IA	30	IA
Apr-23	IA	40	IA
May-23	IA	IA	IA
Jun-23	38	44	IA
Jul-23	IA	IA	IA
Aug-23	IA	IA	IA
Sep-23	IA	IA	IA
Oct-23	IA	IA	IA
Nov-23	IA	IA	IA
Dec-23	IA	IA	IA
Jan-24	IA	IA	IA
Feb-24	IA	<35	<38
Mar-24	IA	IA	IA
Apr-24	IA	IA	IA
May-24	IA	41	<39
Jun-24	IA	40	40
Jul-24	IA	42	<39
Aug-24	IA	IA	IA
Sep-24	IA	IA	IA
Oct-24	IA	IA	IA
Nov-24	IA	IA	IA
Dec-24	IA	IA	IA
Jan-25	IA	IA	IA
Feb-25	IA	IA	IA
Mar-25	IA	IA	IA
Apr-25	IA	IA	IA
May-25	IA	35	IA
Jun-25	IA	<20	IA
Jul-25	<25	<20	<20
Aug-25	IA	IA	IA
Sep-25	IA	IA	IA

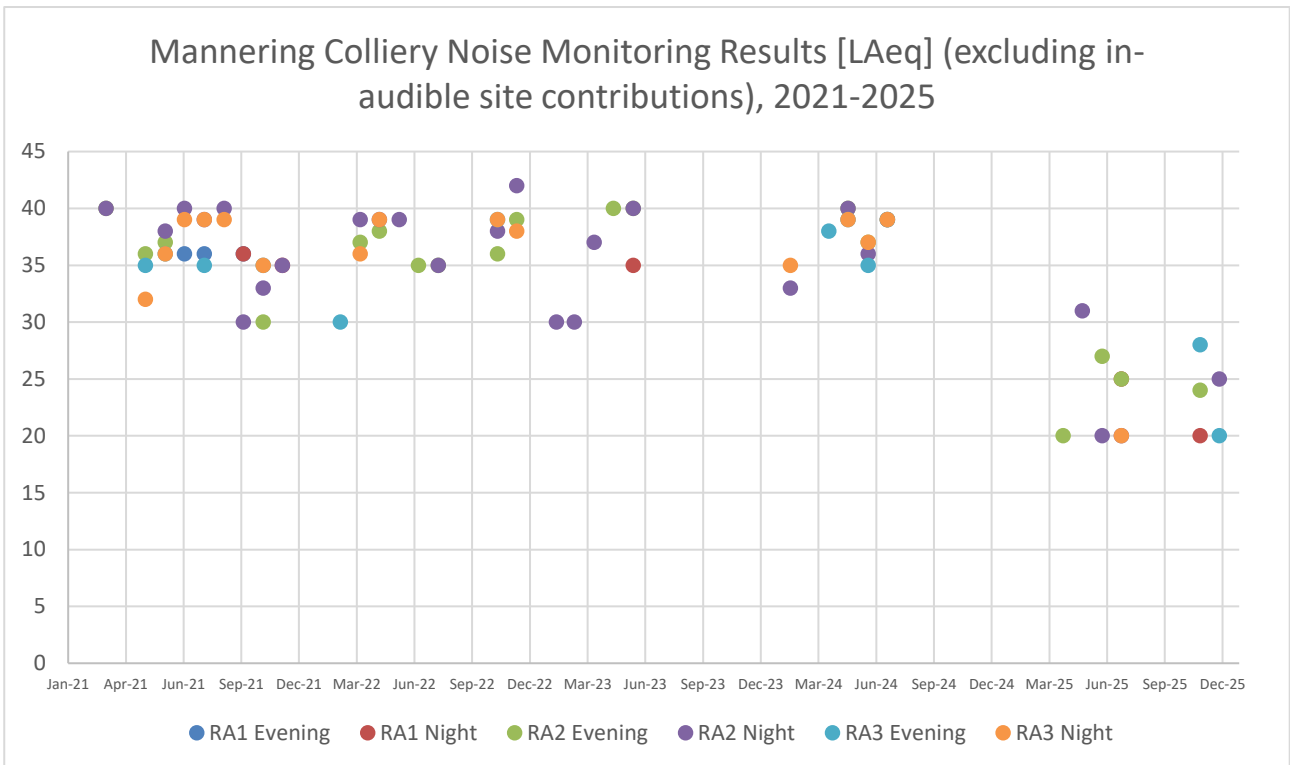
Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 37 of 79



Site Contributions LA1			
	RA1 Night	RA2 Night	RA3 Night
Oct-25	IA	IA	IA
Nov-25	<20	IA	IA
Dec-25	IA	<25	IA

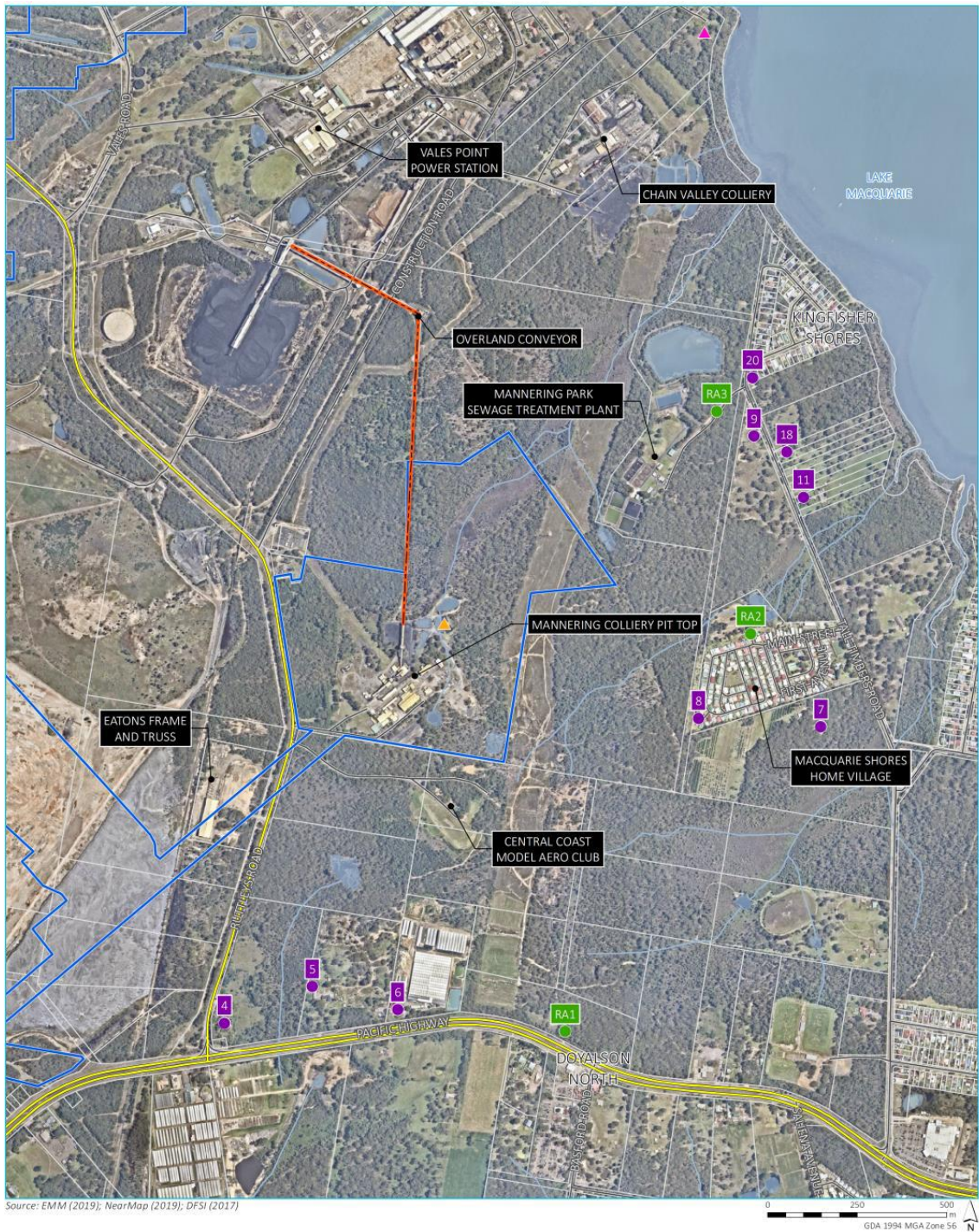
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Figure 15: Noise Monitoring Results - 2021 to 2025



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 38 of 79

Figure 16: Noise Monitoring Locations for Mannering Colliery



- Source: EMM (2019); NearMap (2019); DFSI (2017)
- KEY
- Mannering Colliery project approval boundary
 - Alignment of overland conveyor to VPPS
 - Main road
 - Local road
 - Watercourse/drainage line
 - Waterbody
 - Cadastral boundary
 - Assessment location
 - Attended monitoring location
 - ▲ Continuous monitoring location
 - ▲ Meteorological station

Site Boundary and noise monitoring locations

Mannering Colliery noise monitoring

Figure 3.1



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 39 of 79

6.9 Visual, Stray Light

Mannering Colliery undertook an external lighting audit during the 2019 reporting period following a recommendation from the independent environmental audit. The lighting audit concluded that all lighting at Mannering Colliery complies with the Australian Standard 4282 – Control of Obtrusive Lighting Effects of outdoor lighting.

In accordance with the standard no lights are directed offsite or installed to shine above the horizontal. In addition, the nearest residents to the site are approximately 800 m from the site. No lighting or visual amenity complaints were received during the reporting period and no additional lighting was installed during the reporting period.

6.10 Heritage

As there have been no changes to the operational areas on site during the reporting period and there are no identified Aboriginal sites within the pit top areas, there has been no potential for activities at Mannering Colliery to negatively impact on Aboriginal sites during the reporting period.

The development of a Delta Coal Heritage Management Plan was completed during 2020 following consultation with Registered Aboriginal Parties. This plan was updated and approved in September 2023.

There were no activities undertaken on site during the reporting period that had the potential for impact to known heritage features.

6.11 Spontaneous Combustion

Current stockpiling of coal is minimal, therefore reducing the risk of spontaneous combustion occurring within the pit top area. There was no occurrences of spontaneous combustion at MC during the reporting period.

Underground controls to mitigate risk of spontaneous combustion include:

- Spontaneous combustion is considered at the mine design phase.
- The mine has developed Trigger Action Response Plans to identify and manage any deviation from normal operating conditions with respect to indicators of spontaneous combustion.
- The mine monitors gases using a multipoint tube bundle gas analysis system.
- The mine conducts regular underground inspections by Mining Officials.
- A self-heating event was identified and has been managed at Mannering Colliery over the prior years.

The risk potential for spontaneous combustion associated with the coal stockpiles is assessed to be low. This determination was based on the following:

- the coal on the stockpile is Fassifern Seam coal, since this is the only coal mined currently at CVC. The Fassifern Seam has a medium intrinsic spontaneous combustion reactivity based on R70 self-heating rate.
- when coal is stockpiled it is and will continue to be regularly inspected.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 40 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

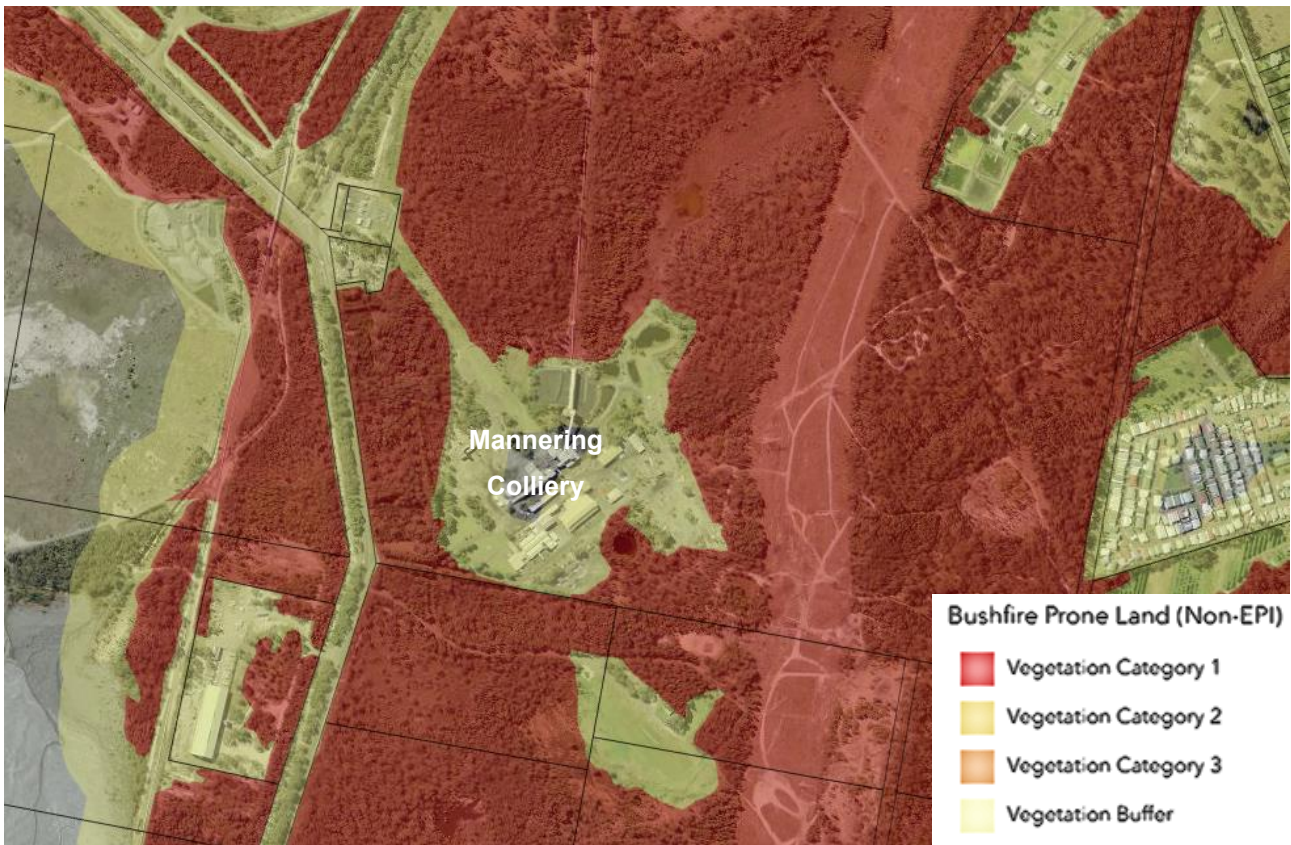
6.12 Bushfire

The pit top area contains vegetation which is considered to be bushfire prone land (Category 1) as shown on **Figure 17**. **Figure 18** shows the approved APZ area.

As required by the Land Management Plan for Mannering, regular inspections were undertaken to ensure bushfire risk is managed appropriately. Delta Coal has, and will continue to, implement appropriate controls to assist in the management of bushfires that threaten the Operation.

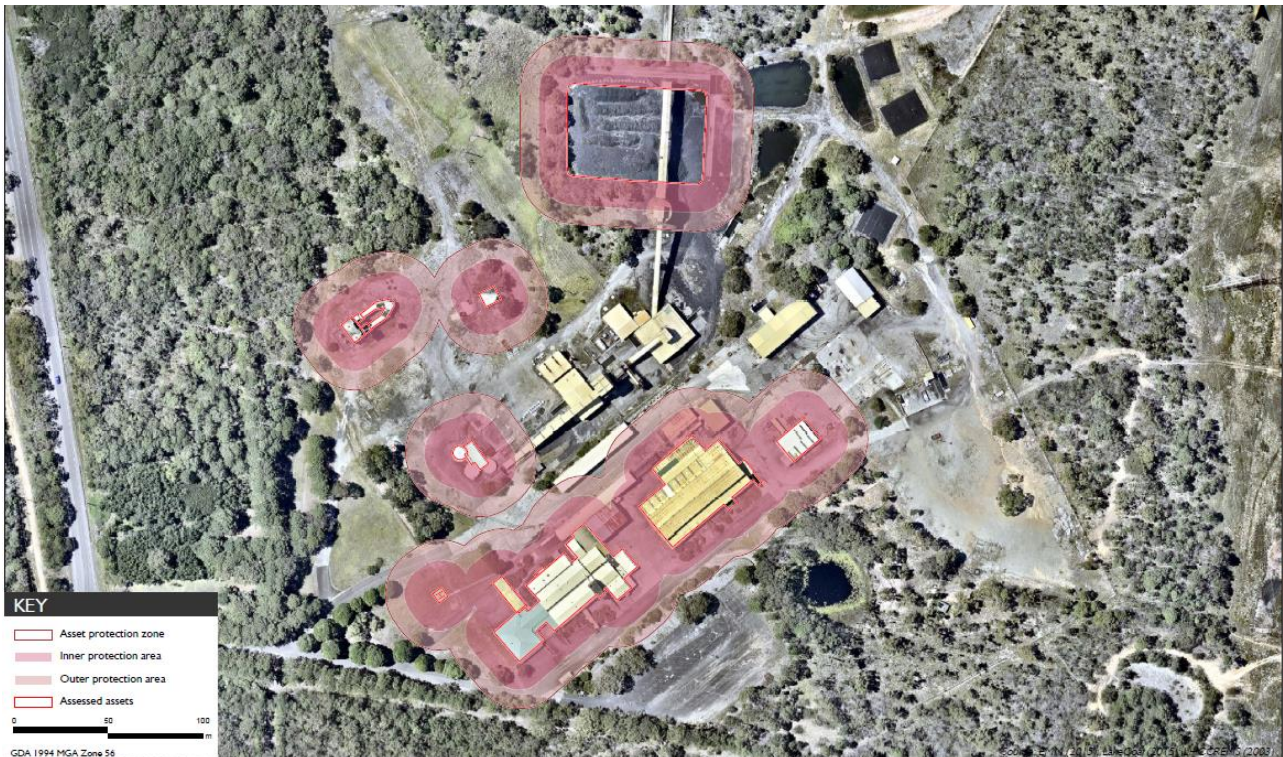
In the 2025 reporting period there were no instances of bushfire in the immediate vicinity of the site.

Figure 17 - Bushfire Prone Land Map for Mannering Colliery and Surrounds (Source: ePlanning Spatial Viewer – Bushfire Prone Land Non-EPI)



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 41 of 79

Figure 18: Approved APZ's for Mannering Colliery (SSD-5465 Mod 5)



6.13 Mine Subsidence

Previous subsidence calculations by Centennial Coal using Bord and Pillar mining methods on the approved project lease area give a subsidence figure of <20 mm of cumulative subsidence on the surface. At the commencement of mining operations associated with the link road project between CVC and MC, a subsidence monitoring program was implemented. Due to the sensitive nature of the infrastructure being undermined (VPPS), subsidence monitoring was undertaken on a weekly basis within a 250 m radius of the mining activity. At the completion of mining, the frequency of subsidence monitoring at MC was reduced to an annual survey. Monitoring results have been presented in the Delta Coal Annual Subsidence Report 2025 (**Appendix 5**) and indicate <20 mm subsidence recorded to date. A small number of monitoring points have recorded values to >20mm movement since the baseline surveys, these appear to be damaged/disturbed and located in areas where vehicle & pedestrian traffic paths are present.

There was no mining undertaken at Mannering Colliery during 2025.

6.14 Hydrocarbon Contamination

All hydrocarbon materials are stored within a dedicated bunded building, with emergency spill stations located adjacent to the area. Spill stations are checked weekly to ensure they remain adequately stocked and serviced as required.

Training for spill response is provided within the site induction program, which is a prerequisite before undertaking work at Delta Cal sites. Mannering Colliery also has a Pollution Incident Response Management

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 42 of 79

Plan in place as well as a duty card for pollution event first responders, to manage and respond accordingly to pollution incidents. The Pollution Incident Response Management Plan was tested and reviewed during the reporting period.

There were no incidents of hydrocarbon contamination, or any significant spills which occurred during the reporting period.

6.15 Methane Drainage and Greenhouse Gases

Methane levels in the Fassifern seam are a relatively low-level content such that no pre or post methane drainage is required to maintain safe levels underground. All methane liberated in the mine enters the main ventilation air and is ventilated via the main fans.

The Mannering Colliery main fans continued to run during the reporting period, albeit at a lower flow than would usually be the case if production was occurring. Monthly ventilation surveys, which document methane concentrations and mine ventilation flow also continued throughout the reporting period.

Methane emissions, and other greenhouse gas emissions, from the Colliery are reported annually to the Clean Energy Regulator in accordance with the *National Greenhouse and Energy Reporting Act 2007* (NGER Act). The emissions from the most recent reporting under the NGER Act are presented in **Table 13**. Note that the data from **Table 13** is presented through for the 2024-2025 Financial Year format as per NGER Act reporting requirements.

Table 13: Mannering Colliery Greenhouse Gas Emissions 1 July 2024 – 30 June 2025 NGER Reporting Period

Mannering GHG Emissions	
Total (Scope 1)	104,280 tonnes CO ₂ -e

The EA (March 2007) for the site predicted a total of 571,821 tonnes CO₂-e of Scope 1 emissions from mannering colliery, and 11,751 tonnes CO₂-e of Scope 2 emissions. No predictions of emissions have been made since the EA. The emissions from MC are significantly less than the EA prediction, this predominately due to no active mining in the MC as well as a reduced fan flow rate as a result. Current greenhouse gas mitigation measures implemented at MC involve:

- Reduced fan flow rate, as there is no requirement to workings;
- All non-essential areas for maintenance of the mine are sealed off and/or flooded as part of the mine design reducing emissions through ventilation streams;
- All handled coal was via conveyor in the 2025 reporting period, no road haulage; and
- Consideration of energy efficiency criteria as part of the procurement process.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 43 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

6.16 Public Safety

Public safety is primarily a concern around the surface facilities at Mannering Colliery. There is one sealed access road into the area which has chain mesh and barbed wire security fencing and a set of lockable gates. The gates can be closed should the need arise to stop access to the site. These gates may be closed and locked at times of when there is no expected traffic, such as during the night-time period but would otherwise remain open for deliveries, employee and authorised visitor access.

A security firm is engaged to undertake scheduled site security checks and remote alarm monitoring and reporting. The security checks are random but generally undertaken at times of higher unauthorised access risk such as nights, public holidays and weekends.

Public access will be monitored and managed during operation of the mine through the standard incident reporting process which would include reporting of unauthorised access.

A visitor login system onsite ensures that authorised visiting members of the public are assigned a site contact and that upon login the site contact is notified immediately by email of the visitors' presence onsite.

During the reporting period there were no public safety incidents of injury to the public as a result of Delta Coal's operations.

During 2025 security presence and patrols were maintained.

6.17 Other Issues and Risks

There were no other environmental issues or risks encountered during the reporting period.

6.18 Summary of Environmental Performance

In summary, environmental performance during the reporting period for Mannering is detailed in **Table 14**.

Table 14: Environmental Performance

Aspect	Approved criteria/ EIS prediction	Performance during the reporting period	Trend/ key management implications	Implemented/ proposed management actions
Noise	Section 7.5 Acoustics (EA, Hanson Bailey 2007)	During the 2025 reporting period, there were no exceedances of noise criteria.	Main trend 2025: Noise monitoring results during the AR reporting period as well as predictions in the EA, generally reflect that Mannering Colliery is not the dominant source of environmental noise within the vicinity. Typically, Mannering Colliery has been inaudible during monitoring in CY2025.	The noise management plan will continue to be implemented to ensure noise mitigation and management is undertaken as committed.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 44 of 79

Aspect	Approved criteria/ EIS prediction	Performance during the reporting period	Trend/ key management implications	Implemented/ proposed management actions
Blasting	N/A	N/A	N/A	N/A
Air Quality	Section 7.7 Air Quality (EA, Hanson Bailey 2007)	In accordance with approved criteria and EIS predictions	<p>Main trend (depositional dust results 2025):</p> <p>Based on modelling in the EA, total dust emissions from Mannering are expected to be minor, at less than 2 grams/m²/month.</p> <p>The depositional dust results for 2025 generally reflect this, remaining minor at all locations for the reporting period.</p>	<p>The air quality monitoring program, in accordance with the approved management plan, were implemented throughout the reporting period. Results are detailed in Section 6.1.</p> <p>Management of air quality will continue to be monitored in an effective manner.</p>
Biodiversity	Section 7.12 Flora & Fauna (EA, Hanson Bailey 2007)	In accordance with approved criteria and EA predictions/surveys. No predicted impact of biodiversity items was identified.	N/A	N/A
Heritage	Section 7.13 and 7.14 (EA, Hanson Bailey 2007)	In accordance with approved criteria and EIS predictions/surveys. No impact of aboriginal or non-aboriginal heritage items was identified.	N/A	N/A
Greenhouse Gas	Section 7.7 Air Quality (EA, Hanson Bailey 2007)	Greenhouse Gas emissions were significantly below the predictions made in the EA, in part due to no production of coal during the reporting period.	<p>Emissions predictions were based on calculations in the EA at a coal production rate of 1.1 Mtpa. Notably there has also been a significant increase in the Global Warming Potential of methane since the EA in 2007.</p> <p>The current emissions profile reflects a mine that is not producing product coal.</p>	<p>Ongoing management in accordance with the Delta Coal Air Quality and Greenhouse Gas Management Plan.</p> <p>Continued reporting of emissions through the NGER Act requirements and management in accordance with the NGER Safeguard Mechanism, noting MC and CVC emissions are combined for the purpose of the Safeguard Mechanism.</p>

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 45 of 79

7 Water Management

7.1 Licenced Mine Dewatering

Delta Coal holds a water access license WAL40461 under the *Water Act, 1912*, which permits the industrial dewatering of groundwater up to volume of 450 megalitres (ML) per year. The following details groundwater extraction volumes during the reporting period.

During the 2025 reporting period, an average of 783kL of mine water was extracted per day from within the mine workings, before being pumped to the Mannering surface facilities, where it is discharged into sediment dams prior to being discharged into Lake Macquarie under the NSW Environment Protection Authority (EPA) Environment Protection Licence (EPL) No.191 as detailed in **Section 7.2**.

Delta Coal operated within the groundwater extraction limits prescribed by WAL40461. Groundwater extraction data is summarised in **Table 15** and **Figure 19**.

Water in underground workings is generated from ground water which is released from the strata into mine workings along with process water. The collected water is pumped through an extensive goaf system that allows filtration and settlement. The water is then pumped from the mine into the surface settlement pond systems prior to discharge via EPA licensed discharge point 1 (LDP001).

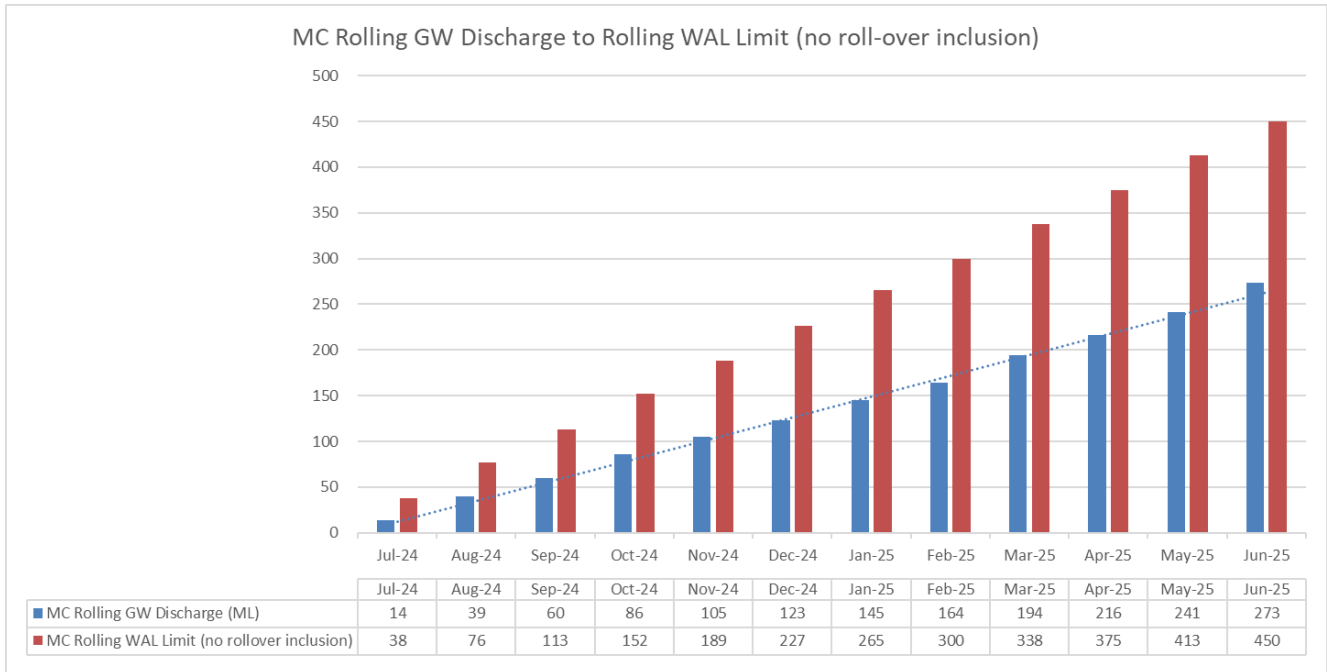
No evidence of groundwater pollution and no known groundwater pollution have been identified at Mannering during the reporting period.

Table 15: Mannering Colliery Water Take - 2025 Reporting Period

Water Access Licence	Water sharing plan, source and management zone (as applicable)	Entitlement	Passive Take / inflows	Active pumping	TOTAL
WAL40461	Sydney Basin-North Coast Groundwater Source	450 ML	N/A	285 ML	285 ML

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 46 of 79

Figure 19 - Manning Colliery Groundwater Extraction Volume and Water Access License Limits (WAL reporting period FY24-25)



7.2 Licenced discharge under EPL 191

Delta Coal holds EPL 191, which licences the discharge of up to 4,000kL per day from the site. Discharge is monitored via a real-time flow meter at the outlet pipe. It is noted that EPL 191 has the following condition (L3.2) in relation to underground dewatering and the 4,000kL daily discharge limit:

“Exceedance of the volume limit for Point 1 is permitted only if the discharge from Point 1 occurs solely as a result of rainfall at the premises exceeding 10mm during the 24 hours immediately prior to the commencement of discharge.”

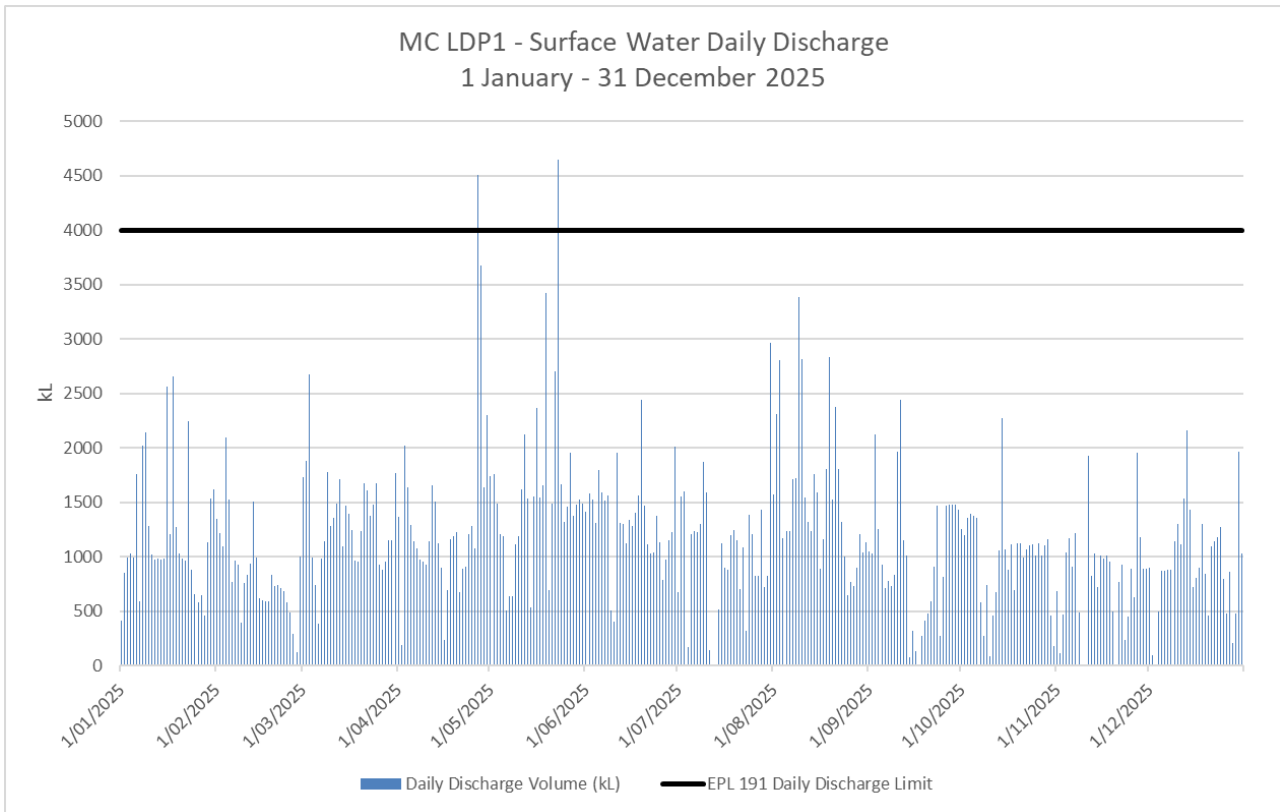
During the 2025 reporting period the daily average discharges were 1167kL with a maximum of 4,651kL and a minimum of 0kL. The total volume discharged over the reporting period was 426 ML.

The 4,000kL limit was exceeded twice during the reporting period, on 17 April and 23 May. Both occurred following rainfall events significantly exceeding 10mm during the 24 hours prior, with 111mm falling on 27 April and 46mm falling on 23 May. As such, no non-compliances were recorded.

Figure 20 presents the daily discharge data during the reporting period, daily discharge volumes are also reported in the monthly reports on the Delta Coal website.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 47 of 79

Figure 20 - Mannering Colliery Surface Discharge Volumes - 2025



The EA states the following summary of relevant predictions and trends associated with water management at Mannering Colliery:

- The critical issue for the water management system will be its ability to continue to control and discharge excess water which may be generated during mining. The water balance for the Project has been assessed for the maximum coal production of 1.1 Mtpa which will correspond to the maximum surplus water inflow;
- The mine water surplus predicted to occur is approximately 660 ML/annum, in a year of high rainfall which corresponds to an average daily discharge volume of approximately 1.7 ML.
- Mannering’s EPL 191 licenses discharge up to 4 ML per day and will be required to be maintained due to the variability of daily discharge volumes from site.
- The estimated maximum inflow from the Fassifern Seam will increase from the current 0.76 ML/day to about 1.03 ML/day. The total volume of water inflow from both the Great Northern and Fassifern Seams will increase from the current 1.14 ML/day to 1.41 ML/day which equates to approximately 515 ML/annum.
- Mannering’s EPL 191 permits a discharge of 4 ML/day and based on the above analysis it is concluded that the Project will not result in this licensed discharge volume being exceeded, under normal climatic conditions.

Based on these predictions (**Table 16**) and trend analysis data, Mannering Colliery has been operating within the license levels and conditions.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 48 of 79

Table 16: Predicted Water Generation (Environmental Assessment, Hansen Bailey, 2007)

Water supply sources	Annual water volume (ML)		
	Dry year (10th percentile rainfall)	Average year (Average rainfall)	Wet year (90th percentile rainfall)
Surface water run-off	55	80	105
Process mine water	40	40	40
Groundwater inflow	515	515	515
Total surplus	610	635	660

Extensive mining has occurred for about 60 years at Mannering Colliery. Mining operations have led to current depressurisation of both seams with the potentiometric surface declining to the base of the seams, where coal has been extracted. According to the EA (*Hanson Bailey, 2007*), current on-going mining/dewatering in the area suggests that at a regional level the piezometric surface/groundwater level will remain depressed into the future.

7.3 Water Quality

In accordance with EPL191, water quality monitoring was conducted at a weekly interval, with an extended analysis undertaken once per month for metals/metalloids and major nutrients (potassium, nitrogen and phosphorus). Water quality criteria as per condition L2.4 of EPL 191 are detailed in **Table 177**.

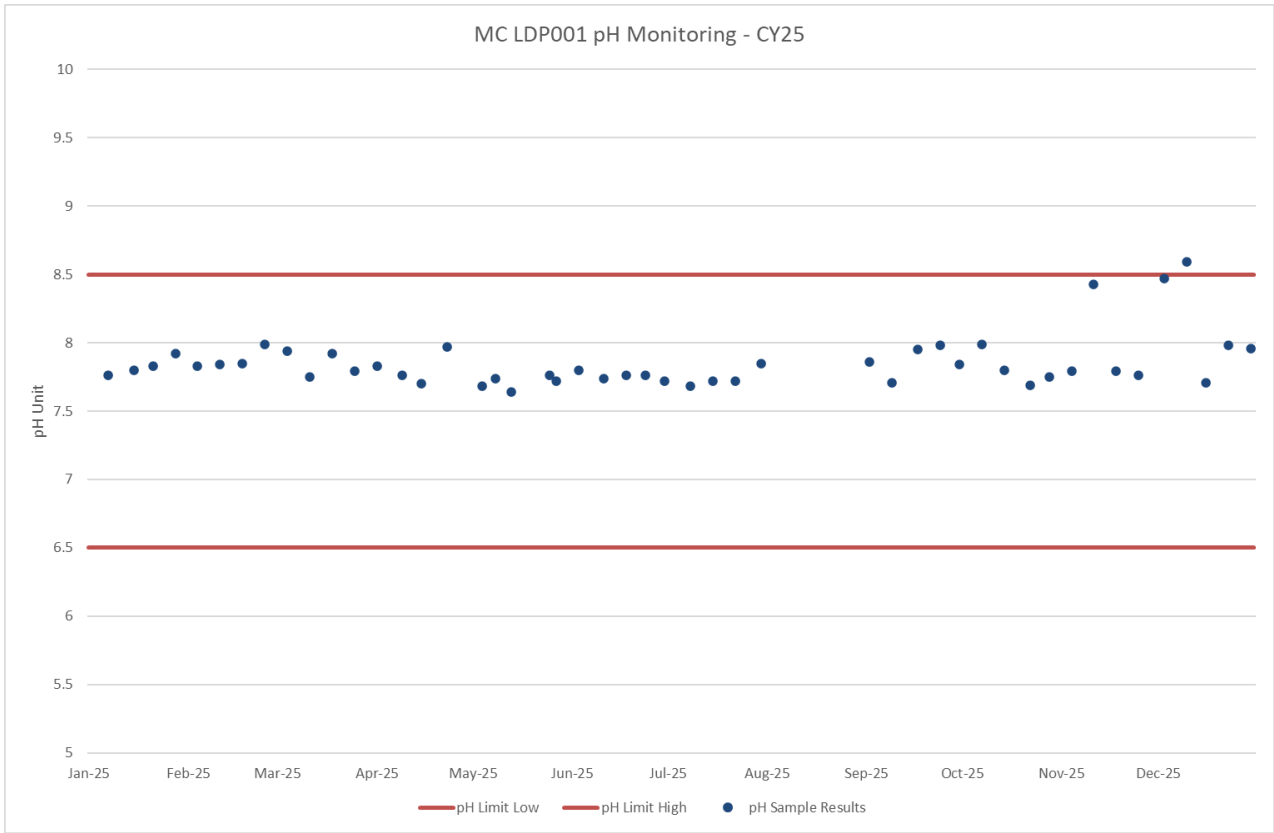
Table 17: Water quality limits from EPL 191

Pollutant	Concentration limit
pH	pH range 6.5 to 8.5
Total suspended solids (TSS)	50 mg/L
Oil & grease	10 mg/L

Weekly water quality monitoring results for pH, total suspended solids (TSS) and oil and grease along with associated limits at the licenced discharge 'EPA Point 1' are shown in **Figure 21**Figure 22, **Figure 22** and **Figure 23**.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 49 of 79

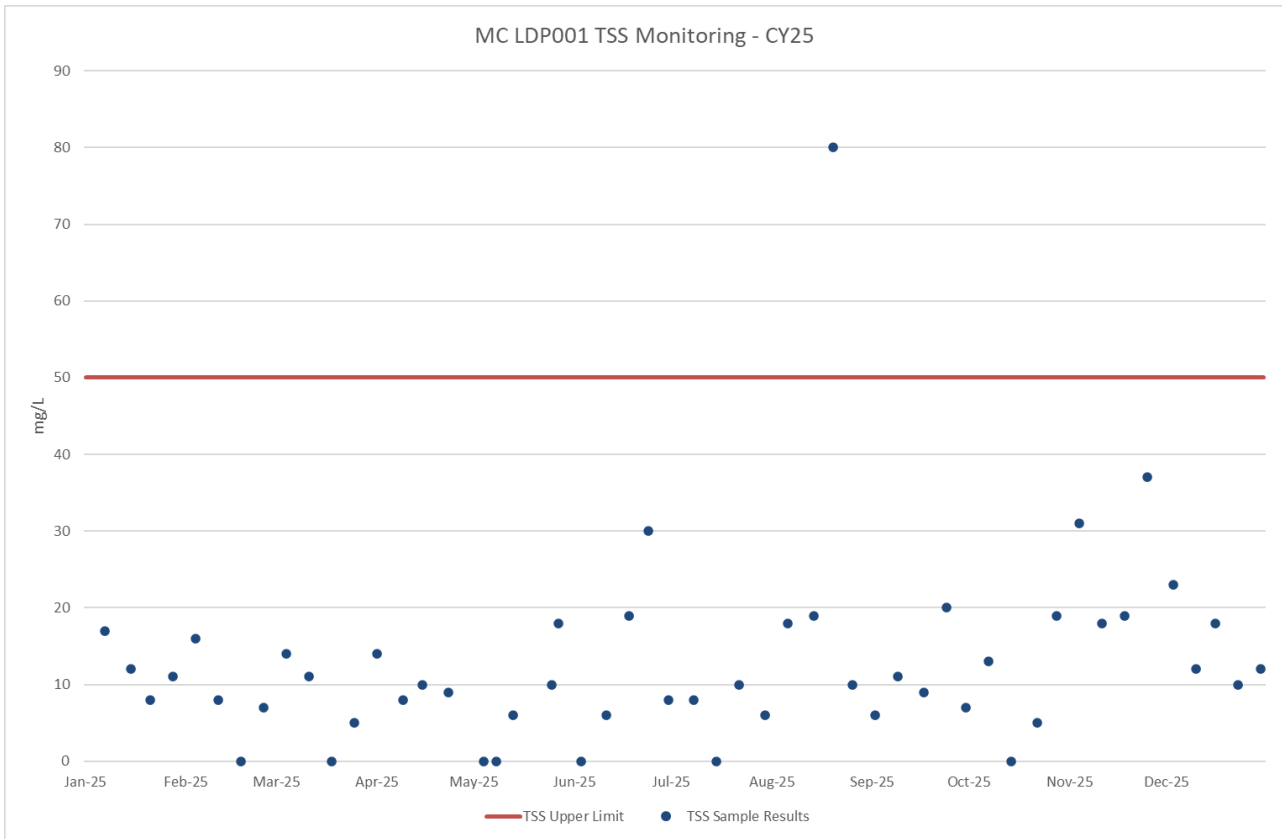
Figure 21 - Mannering Colliery LDP001, pH Monitoring 2025



pH monitoring results throughout the reporting period were within the criteria ranges detailed in EPL 191 with the exception of one exceedance. The exceeding sample was taken on 10 December 2025. The result was 8.59 against EPL 191 limit of 6.5-8.5. Subsequent monitoring was within the limit.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 50 of 79

Figure 22: Mannering Colliery EPA Point 1, Total Suspended Solids Monitoring 2025

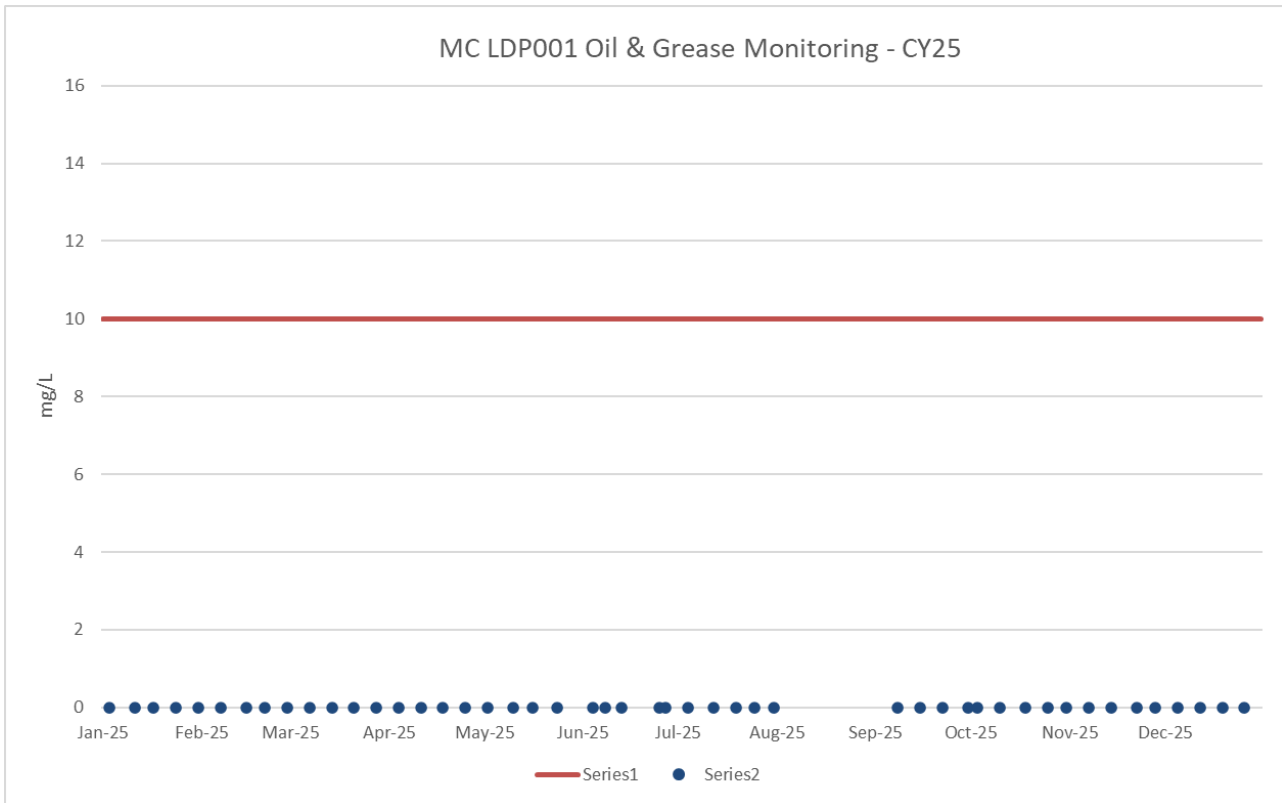


One exceedance of the LDP1 TSS criteria was recorded during the reporting period. The exceedance was reported to the EPA and DPHI and an investigation undertaken. The root cause of the TSS exceedance was found to be high intensity rainfall event over 18 to 20 August 2025, generating high velocity surface water flow rates affecting settlement times in mine water management ponds. Following the TSS exceedance, Delta Coal have undertaken a suitability assessment for a rain activated flocculent system to treat sediment ponds during rainfall events with the aim of reducing TSS of discharged water. This assessment is still underway with trials planned for 2026.

Where concentrations were less than the limit of detection (5 mg/L) the values in **Figure 22** are expressed as zero.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 51 of 79

Figure 23: Mannering Colliery EPA Point 1, Total Oil and Grease Monitoring 2025



All oil and grease results less than the laboratory reporting limit of 5 mg/L were recorded as a zero result in **Figure 23**. There were no detections of oil and grease in the 2025 reporting year in weekly discharge sampling at LDP001.

The EA by Hanson Bailey 2007, does not detail any exact monitoring data to compare, however it outlines that random sampling of surface water quality was undertaken in November 2006 at EPA Point 1 and relevant sites in Lake Macquarie. The EC level in Lake Macquarie recorded at the time indicated that it is more saline than the mine water discharged upstream at EPA Point 1, with a recording of 24,900 µS/cm at the discharge point in comparison to 39,000 µS/cm at Lake Macquarie. From this result, it was predicted that water from Mannering is of higher quality, has lower salinity levels than downstream waters and generally has no predicted significant adverse impacts on either downstream or natural environments.

In accordance with the EPL 191, Mannering will continue to discharge off-site regularly and monitor results.

7.4 Long Term Water Quality

To assess any long-term trends in both water quality and quantity, ten years of monthly water quality results are presented for the Downstream and EPA Point 1 monitoring locations for pH (**Figure 24**), total suspended solids (**Figure 25**) and oil and grease (**Figure 26**) from 2014 – 2024.

From the below figures it is evident that there are no significant trends or changes in the water quality parameters.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 52 of 79

Figure 24 - Mannering Colliery EPA Point 1 (LDP001) and Downstream Monitoring Long-Term pH

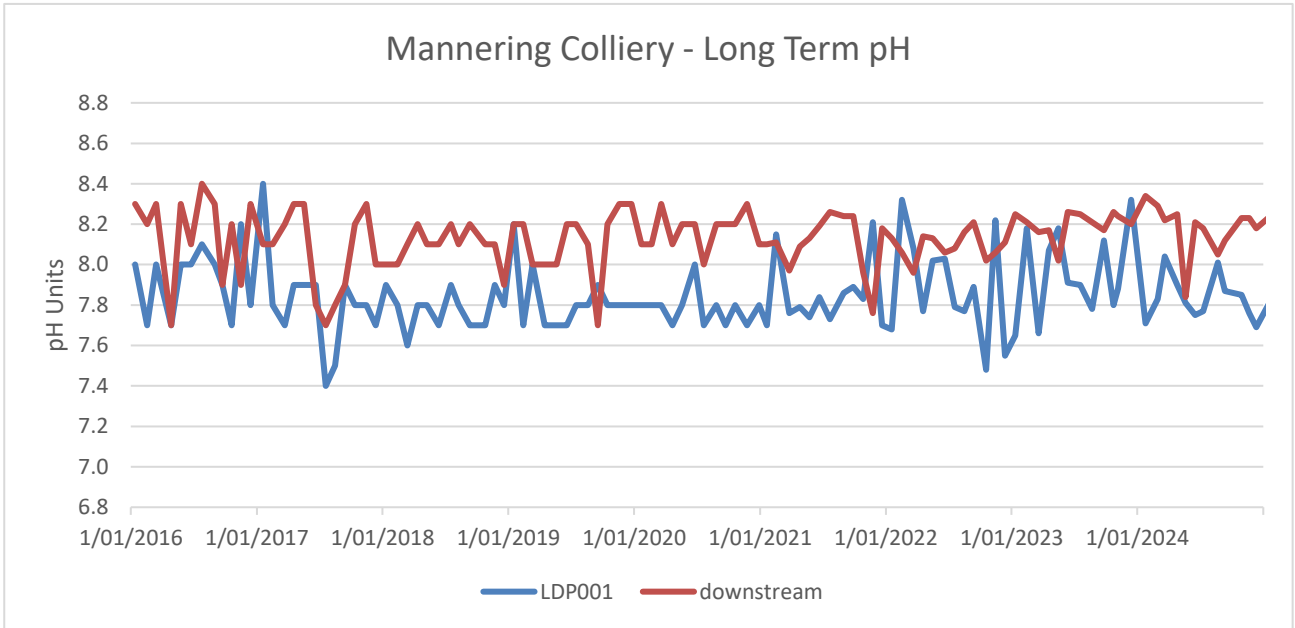
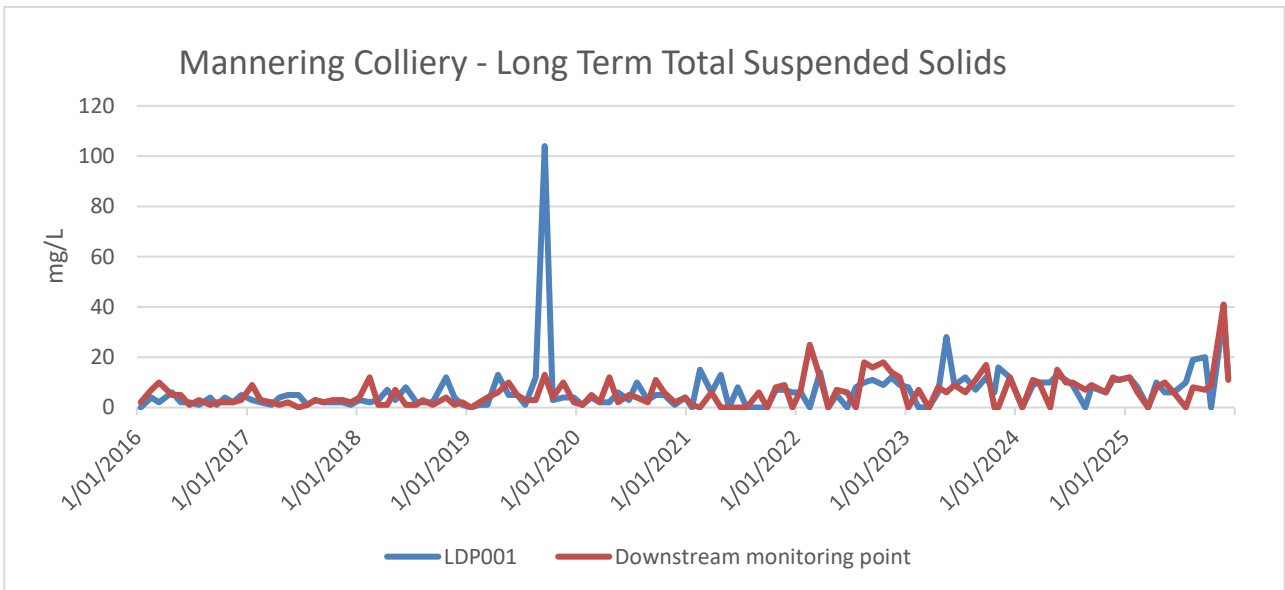
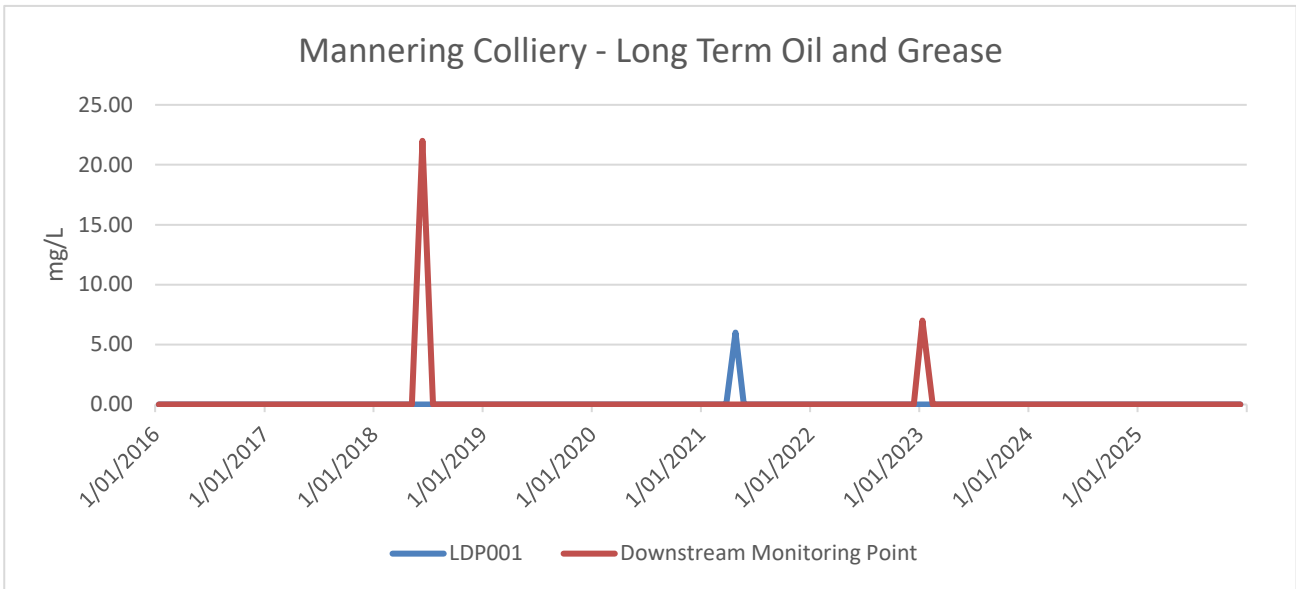


Figure 25: Mannering Colliery EPA Point 1 (LDP001) and Downstream Monitoring Long-Term TSS



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 53 of 79

Figure 26: Mannering Colliery EPA Point 1 (LDP001) and Downstream Monitoring Long-Term Oil & Grease



It is noted that weekly sampling of EPA Point 1 was undertaken during the monitoring period, however, monthly sampling is undertaken of the downstream monitoring location. For the purpose of analysing long-term trends in data, only monthly results for EPA Point 1 have been presented in **Figures 24, 25 and Figure 26**.

7.5 Stream Monitoring

As detailed in the Water Management Plan (WMP) for Mannering Colliery, monitoring of the channel stability and potential erosion and scour impact to the unnamed creek downstream of EPA Point 1 is required. The monitoring inspections involve undertaking a visual assessment and photographs of the creek on a quarterly basis to identify any potential instabilities that may form as a result of operations. The results of the visual inspection of watercourse stability are recorded on a proforma field inspection sheet.

Monitoring has been undertaken at four locations along the unnamed creek since 2014, which also receives discharge from Chain Valley Colliery downstream of Mannering Colliery and the Mannering Colliery downstream monitoring location. There has been no noticeable degradation of stream and riparian health during the reporting period.

The triggers and responses to any instabilities identified as a part of the monitoring program are provided in the Mannering Colliery Water Management Plan. No significant changes to the creek stability, vegetation or bank erosion was observed in the 2025 period.

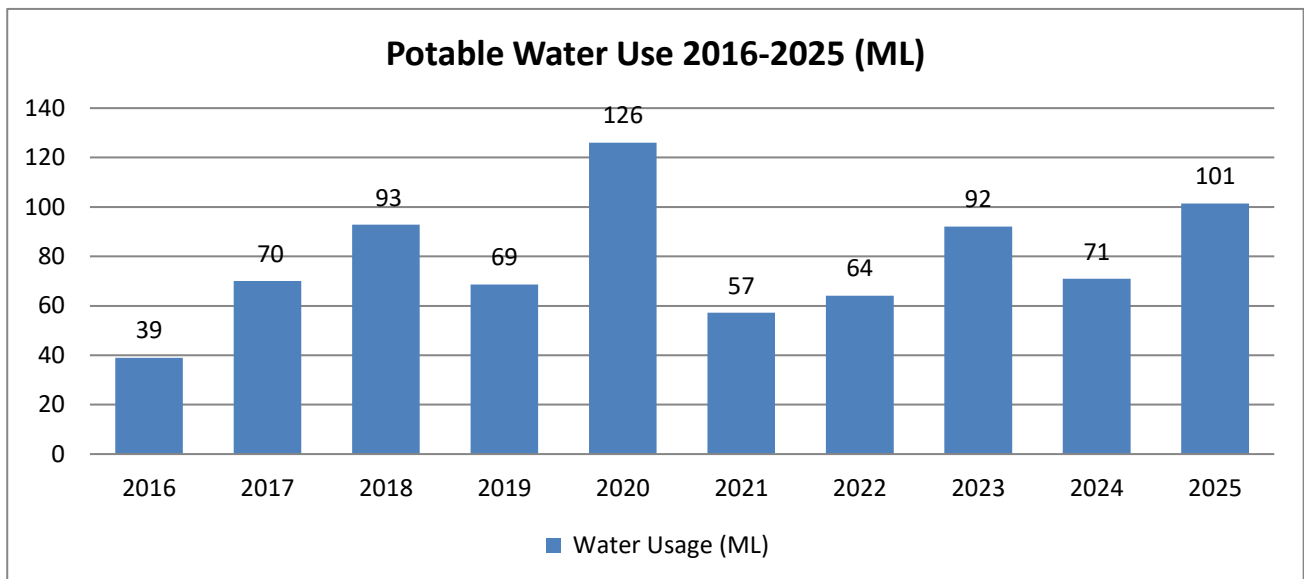
7.6 Potable Water Use

Potable water use during the reporting period was 101 ML, which was an increase on the previous reporting period of 71 ML. Mannering Colliery and Chain Valley Colliery water supplies were linked underground in 2017, Mannering Colliery water supply was utilised to boost pressure in the CVC underground water supply. Potable water usage from 2016 to 2025 at Mannering is detailed in **Figure 27**.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 54 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

Figure 27 - Mannering Colliery Long Term Potable Water Usage



7.7 Surface Water Management

The site surface water management system comprises both clean and dirty water catchments. A number of water management diversions direct clean water around the site to avoid increased hydraulic load on the sedimentation dams that treat the site dirty water prior to discharge.

Clean water from areas unaffected by the operational activities and water that runs onto the site area due to the contours of the surrounding land, i.e. primarily areas to the south and east, are diverted through clean water management structures (such as diversion drains and culverts under roads), enabling the water to ultimately report to Pond 1. The clean water flow paths are shown on **Figure 28**.

The dirty water management system comprises a number of both surface and subsurface management structures to control the flow of water and ultimately direct the dirty water into the site sediment dams. **Figure 28** shows the dirty water flow paths.

The sediment dam system comprises a total of four main dams, labelled Pond 1, Pond 2, Pond 3 and Dam B, as shown on **Figure 28**. References to “Pond” and “Dam” are used interchangeably and refer to the same water management structures.

As shown on Error! Reference source not found.28, water from the dirty water catchments enters into Pond 1 or Pond 2, when both these dams are full water overflows into Pond 3. Once Pond 3 reaches capacity it subsequently overflows into Pond B. Finally, when Pond B reaches capacity, it overflows out EPA Point 1.

A series of interconnecting pipes and valves also allows Pond 2 to be drained into Pond 3, Pond 3 to be drained into Pond B and Pond B to be discharged via EPA Point 1. These valves are generally kept shut to maximise storage capacity of the dams, but are opened after rainfall events, once water quality is suitable for discharge, to minimise water the volume of water stored and again increase storage capacity of the dams for the next rainfall event.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 55 of 79



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Water underground is derived from two sources: excess process water which is generated from mining operations and ground water which is released from the strata into underground mine workings. The collected water is pumped through an extensive goaf system that allows filtration and settlement.

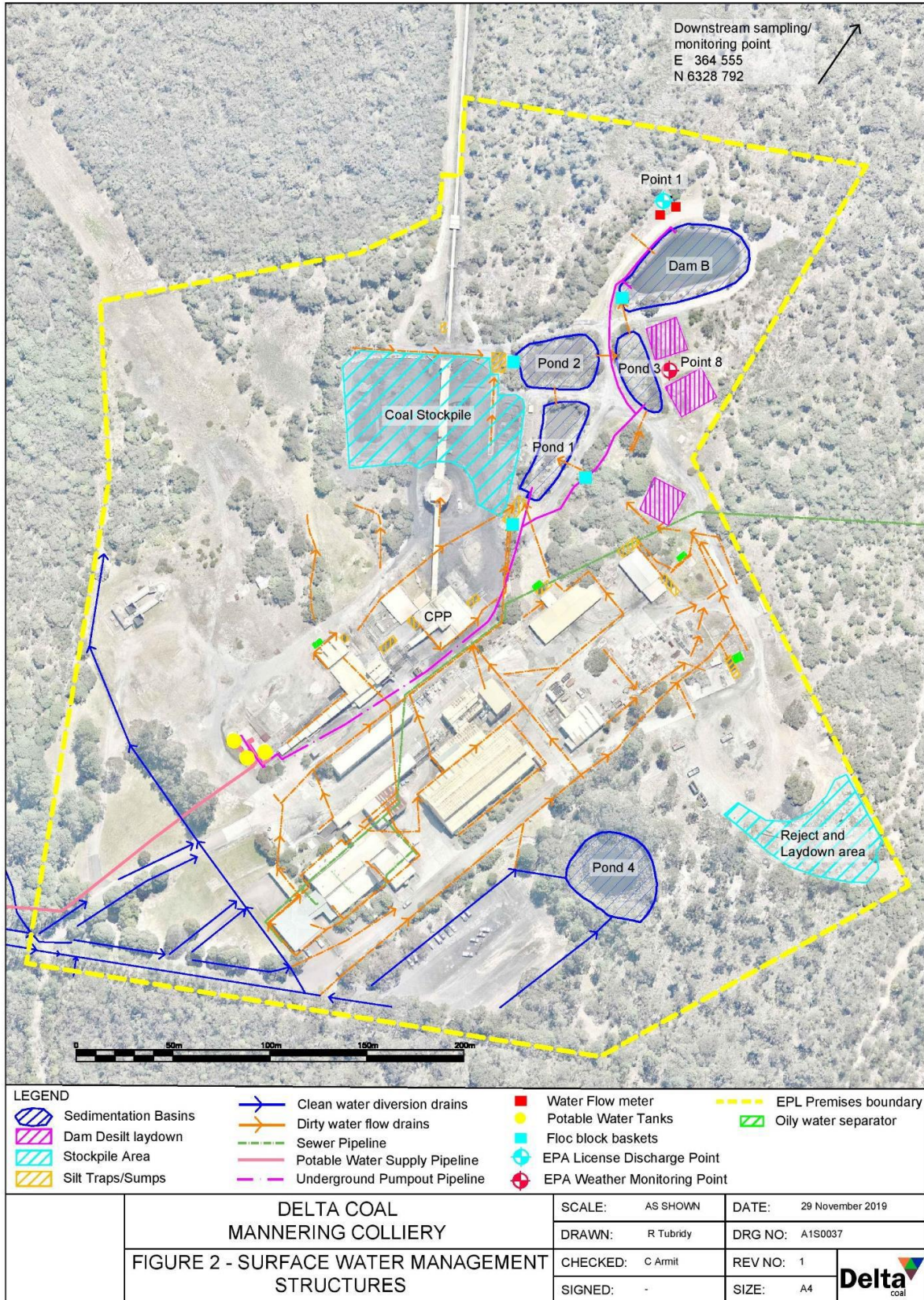
The mine water discharge line consists of the main pump, flow meter, turbidity meter, valves and outlets. The mine water can be directed to pond 1, 3, B or EPA Point 1. Under normal operation the mine water will be directed to LDP 1 to maintain capacity in the sediment dams for rainfall events.

Management of the 4 interconnected ponds is undertaken via weekly and monthly documented inspections and management as required following rainfall events. The intent of this active management is to maintain dams at their lowest possible levels whilst adhering to water quality criteria at the discharge point (EPA Point 1).

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 56 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

Figure 28 - Surface Water Management Structures



Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 57 of 79

8 Rehabilitation

8.1 Buildings

Mannering Colliery surface infrastructure comprises:

- mine entry / exit for personnel and materials (1:3.5 Decline) including a winch house;
- coal conveyor drift;
- limited coal-handling facilities for breaking, crushing, sizing and storing product;
- coal stockpile and reclaiming system;
- overland conveyor systems;
- administration and bathroom facilities;
- workshop facilities;
- pollution control apparatus and structures;
- enclosed and bulk open material and equipment stores facilities;
- mine ventilation;
- air compressors; and
- internal roads and car parking facilities.

The total area of effect of the Mannering surface infrastructure is approximately 13.2 hectares.

8.2 Rehabilitation of Disturbed Land

There was no significant rehabilitation works on disturbed lands during the reporting period (**Table 188** and **Table 19**), which relates to the fixed nature of the surface infrastructure and that upon recommencement of mining activities all existing infrastructure and lay down areas will again be required for use.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 58 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

Table 18: Summary of rehabilitation at Mannering Colliery

	This period (2025)	Next period (2026)
A. Total mine footprint (managed by Delta Coal)	Approximately 13.2	Approximately 13.2
B Total active disturbance	13.2	13.2
C. Land being prepared for rehabilitation	Nil	Nil
D Land under active rehabilitation	Nil	Nil

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 59 of 79

E	Completed rehabilitation	Nil	Nil
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Table 19: Maintenance activities on rehabilitated land at Mannering Colliery

Nature of Treatment	Area Treated (Ha)		Comment/Control Strategies/Treatment Detail
	This period (2025)	Next period (2026)	
Additional erosion control works (drains re-contouring, rock protection)	0	0	No additional works required.
Re-covering (further topsoil, subsoil sealing etc.)	0	0	N/A
Soil treatment (fertiliser, lime, gypsum etc.)	0	0	N/A
Treatment/management (grazing, cropping, slashing etc.)	0	0	N/A
Re-seeding/replanting (species density, season etc.)	0	0	N/A
Adversely affected by weeds (type and treatment)	13.2	13.2	Ongoing implementation of a weed control program developed in 2019 was undertaken during the 2025 reporting period. Ongoing weed treatment works in accordance with the Weed Action Plan are planned for the next reporting period.
Feral animal control (additional fencing, trapping, baiting etc.)	0	0	No feral animal control undertaken during the reporting period. There is none currently planned to be undertaken in the next reporting period.

8.3 Rehabilitation Trials and Research

No rehabilitation trials or research was undertaken during the reporting period.

8.4 Further Development of the Final Rehabilitation Plan

Delta Coal developed a revised Rehabilitation Management Plan and Rehabilitation Risk Assessment for sites under Delta Coals control in 2022 following Schedule 8A reforms to the Mining Regulations. A rehabilitation monitoring program was submitted to DRE in Quarter 2 2019 and baseline monitoring conducted during Quarter 3 2019. Given that CVC and MC are underground coal mines there is generally no land that is not

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 60 of 79



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

utilised for critical site infrastructure and as such there is minimal progressive rehabilitation forecasted until closure of the mine sites. Currently, CVC and MC are approved to continue mining operations until 31 December 2027, with an EIS currently being assessed for the Chain Valley Colliery Consent Consolidation Project seeking approval to continue operations until 31 December 2029 in accordance with the VPPS current planned operational timeframe.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 61 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

8.5 Other Infrastructure

There were no other rehabilitation works completed during the reporting period.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 62 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

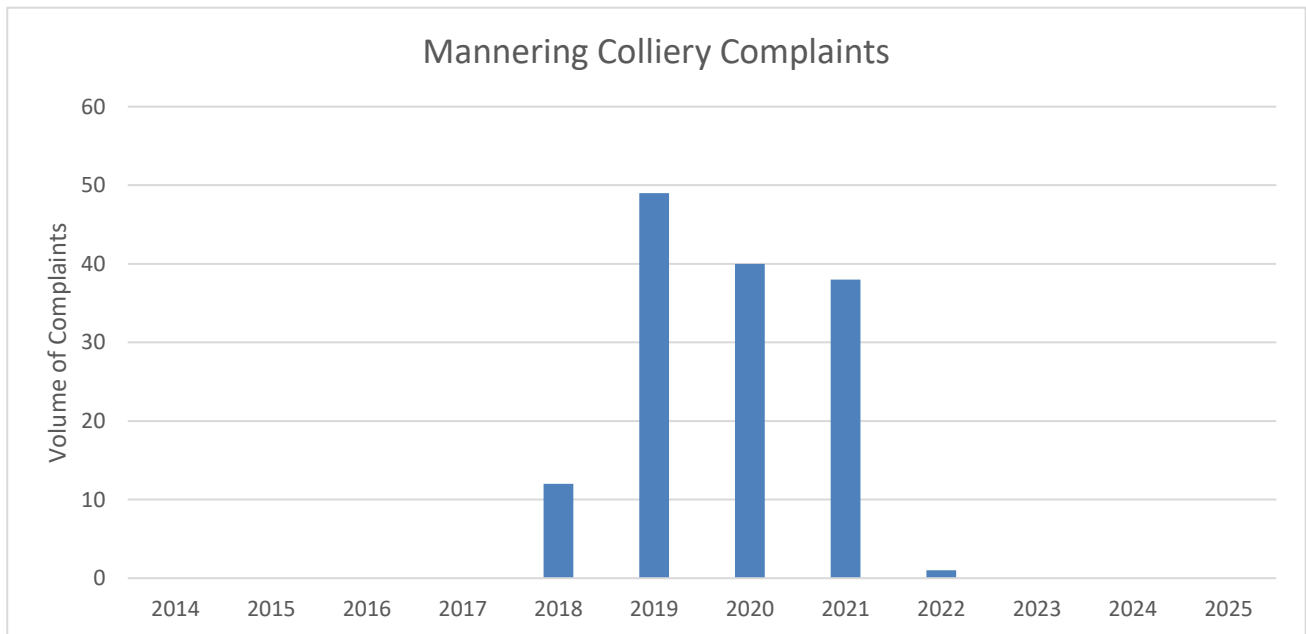
9 Community

9.1 Community Complaints

There were no community complaints received during the reporting period. A copy of the complaints register is provided on the Delta Coal website and is reproduced in **Appendix 6**.

The volume of noise complaints received in 2025 compared to prior years are detailed in **Figure 29**. In previous reporting years (2018-2021) there were numerous noise complaints in relation to noise emissions from Mannering Colliery, correlating to the recommencement of coal handling at the site. In response to the complaints, a noise mitigation project was implemented at Mannering Colliery, with the Rotary Breaker decommissioned and noise mitigating materials placed on and around coal transfer points. Noise limits were also reduced for receivers in the Macquarie Shores Home Village, to the east of the site.

Figure 29 - Mannering Colliery Noise Complaints



9.2 Community Liaison

The Chain Valley Colliery and Mannering Colliery combined Community Consultative Committee (CCC) continued to operate in accordance with the *Community Consultative Committee Guidelines* (June 2023) during the reporting period.

There were four CCC meetings held during the reporting period on the 19 February 2025, 14 May 2024, 20 August 2025 and 12 November 2025. Minutes for each of the committee meetings are available on the Delta Coal website <https://www.deltacoal.com.au/community/community-consultative-committee>.

In addition, the Delta Coal website was updated on a monthly basis with monitoring data, management plans, reports, audits and complaint details among other items.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 63 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED



The community hotline number (1800 687 260) also remained in place during the reporting period and is displayed prominently and permanently on the website.

9.3 Community Support / Engagement

A Voluntary Planning Agreement (VPA) between Delta Coal and Central Coast Council was successfully established during 2017. Following extensive consultation with Central Coast Council, the Community Advisory Panel was established and met to plan and coordinate the framework for the VPA funding.

The VPA fund was launched during September 2017 via the Council grants and sponsorship scheme.

The Delta Coal Community funding program was established as a joint initiative between Delta Coal and Central Coast Council to provide funding for organisations to deliver projects that improve community infrastructure and services in the following communities:

- Summerland Point
- Gwandalan
- Chain Valley Bay; and
- Mannering Park.

The VPA is subject to indexation and in the 2024-2025 Financial Year was \$0.0478 per tonne of ROM coal sold, which started at \$0.035 in 2013. In the 2024-2025 Financial Year, Delta Coal generated and paid \$48,766.19 to the Central Coast Council, Voluntary Planning Agreement.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 64 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

10 Independent Audit

An independent environmental audit (IEA) was undertaken by Onward Consulting in 2025 for the period from 12 April 2022 until 16 April 2025.

The IEA report and action plan was submitted to the DPE on 16 July 2025 and accepted on 21 August 2025. The IEA is provided in **Appendix 7**, and a current IEA Action Plan has been provided as **Appendix 8**.

10.1 Key Audit Outcomes

The IEA identified a total of 16 non-compliances, however, overall compliance with conditions of relevant approvals, licences and leases was noted as high, as follows:

- MP06_0311: Compliance with approximately 83% of conditions (i.e. 38 of 46 conditions, excluding conditions which are notes or were not triggered) (Appendix D of the IEA report).
- EPL 191: Compliance with approximately 91% of conditions (i.e. 39 of 43 conditions, excluding conditions which are notes or were not triggered) (Appendix E of the IEA report).
- Relevant leases (Standard Conditions [Schedule 8A, Part 2] of the Mining Regulation 2016 [NSW]): Compliance with approximately 85% of conditions (i.e. 23 of 27 conditions) (Appendix F of the IEA report).

10.2 Action Plan

Three corrective actions and six opportunities were identified during the audit. All corrective actions and opportunities for improvement have been addressed in an IEA Action Plan that has been provided to the DPHI. The IEA Action Plan has been provided in **Appendix 8**.

10.3 Future Audit

The next Independent Environmental Compliance Audit will be undertaken in 2028.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 65 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

11 Incidents and Non-compliances During the Reporting Period

There were two non-compliances recorded for Mannering Colliery in the 2024 reporting period.

Table 20: Summary of reportable incidents/non-compliances for 2024

Date	Description of Non-compliance	Approval/Condition /Clause	Actions taken to address Non-compliance
29/04/2025	Non-Compliance to maximum monthly increase at DG2 (>2g/m2/month) -	MP06_0311 Schedule 3, Condition 16	Dust deposition levels reviewed and deemed to be unrelated to site operations
21/05/2025	Non-Compliance to maximum monthly increase at DG2 (>2g/m2/month) -	MP06_0311 Schedule 3, Condition 16	Dust deposition levels reviewed and deemed to be unrelated to site operations
21/05/2025	Non-Compliance to maximum monthly increase at DG2 (>2g/m2/month) -	MP06_0311 Schedule 3, Condition 16	Dust deposition levels reviewed and deemed to be unrelated to site operations
20/08/2025	Exceedance of 50mg/L total suspended solids limit in EPA Point 1 discharge. Result of 80mg/L recorded	EPL 191 L2.4	Following the non-compliance, Delta Coal have commenced a suitability assessment for a rain activated flocculent system to treat sediment ponds during rainfall events with the aim of reducing TSS of discharged water. This assessment is still underway with trials planned for 2026.
10/12/2025	Exceedance of 6.5 - 8.5 pH limit at LDP1. The sample result was 8.59 pH.	EPL 191 L2.4	Subsequent weekly water monitoring pH results returned within the EPL limit.
16/12/2025	Review of management plans not completed by the within three months of submission of an audit	MP06-0311 Sch 5, Cond 4	Non-compliance notified to DPHI and extension of time requested. DPHI approved an extension until 30 March 2026.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 66 of 79

12 Activities to be completed in the next reporting period

12.1 Activities update from 2025 Reporting Period

A summary of the activities that were proposed to be undertaken during the 2025 reporting period and current status is provided in **Table 212**.

Table 21: Update on activities to be undertaken in the 2025 reporting period

Activity Proposed	Status Update	31 December 2025 Update, percentage complete
Ongoing desilting of site sedimentation ponds in accordance with the sites Water Management Plan.	Desilting was undertaken in the main sedimentation dams at Chain Valley Colliery in 2025. Due to limited stockpile capacity at MC a DA mod has been submitted to enable transport of sediment via road to VPPS.	0%
Ongoing implementation of Weed Action Plan and weed management	Weed management undertaken by Hunter Land Management Pty Ltd in 2025 reporting period.	100%

12.2 Activities Proposed for 2026 Reporting Period

A summary of the activities that are proposed to be undertaken during 2026 are detailed in **Table 22**.

Table 22: Activities to be undertaken in 2025

Activity Proposed
Ongoing weed management in accordance with the Weed Action Plan.
Ongoing desilting of site sedimentation ponds in accordance with the sites Water Management Plan.
Implementation of IEA Action Plan

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 67 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				

13 References

Documents used in the preparation of this report are detailed in **Table 23**.

Table 23: References

Reference	Title
Legislation and Regulations	Environment Protection Licence (EPL) 191 Mining Act 1992 National Greenhouse and Energy Reporting Act 2007 Project Approval MP06_0311 (as modified) Protection of the Environment Operations Act, 1997 Environmental Planning & Assessment Act, 1979
External documents	Hanson Bailey 2007, Centennial Coal Company Limited: Mannering Colliery Continuation of Mining: Environmental Assessment, March 2007. NSW DPHI (June 2023) Community Consultative Guidelines for State Significant Development

Acronyms / Definitions

AEMR Annual Environmental Management Report, now known as the Annual Review

Annual Review The annual environmental report compiled for Mannering, the Annual Review also fulfils the requirement for an Annual Environmental Report or an Annual Environmental Management Report required by mining leases.

CCC Community Consultative Committee

CVC Chain Valley Colliery

DP&E Department of Planning & Environment (former)

DPIE (former) Department of Planning, Industry and Environment

DPHI Department of Planning, Housing and Infrastructure

EA Environmental Assessment

EMS Environmental Management System

EPA NSW Environment Protection Authority

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 68 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				



- EP&A Act** Environmental Planning and Assessment Act 1979
- EPL** Environmental Protection License
- KL** Kilotitre
- LDP1** Licenced Discharge Point 1 (per EPL 191)
- Mannering** Mannering Colliery
- NGER** National Greenhouse and Energy Reporting
- NSW** New South Wales
- OEH** NSW Office of Environment and Heritage (former)
- PA 06_0311** Project approval MP 06_0311, as modified, issued under Section 75J of the Environmental *Planning and Assessment Act 1979* for the Mannering Colliery Extension of Mine Project
- POEO Act** Protection of the Environment Operations Act 1997
- ROM** Run of mine
- t - CO₂-e** Tonnes of carbon dioxide equivalent
- The website** The website of Delta Coal - Mannering Colliery, which is www.deltacoal.com.au
- VPPS** Vales Point Power Station

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 69 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendices

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 70 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendix 1: Project Approval

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 71 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I approve the project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 5.

These conditions are required to

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Project Approval signed by Frank Sartor on 12 March 2014

Frank Sartor MP
Minister for Planning

Sydney

2014

SCHEDULE 1

Application No: 010314
Proponent: [Great Southern Energy Pty Limited](#)
Approval Authority: Minister for Planning
Land: See Appendix 1
Project: Mannering Colliery 1 Continuation of Mining Project

Red text represents Modification 1 of October 2012 (010314 MOD 1)
Blue text represents Modification 2 of November 2014 (010314 MOD 2)
Green text represents Modification 3 of December 2015 (010314 MOD 3)
Orange text represents Modification 4 of August 2016 (010314 MOD 4)
Purple text represents Modification 5 of June 2020 (010314 MOD 5)

TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	7
Obligation to Minimise Harm to the Environment	7
Terms of Approval	7
Limits on Consent	7
Structural Adequacy	7
Demolition	8
Operation of Plant and Equipment	8
Community Enhancement Program	8
Community Consultative Committee	8
Evidence of Consultation	8
Staging, Combining and Updating Strategies, Plans or Programs	8
Application of Existing Strategies, Plans or programs	9
Protection of Public Infrastructure	9
Compliance	9
Applicability of Guidelines	9
SPECIFIC ENVIRONMENTAL CONDITIONS	10
Noise	10
Subsidence	10
Soil and Water	10
Rehabilitation	11
Air Quality	13
Heritage	14
Visual	14
Transport	15
Bushfire Management	15
Waste	15
Exploration Activities and Surface Infrastructure	15
ADDITIONAL PROCEDURES	17
Independent Review	17
ENVIRONMENTAL MANAGEMENT, MONITORING, REPORTING & AUDITING	18
Environmental Management	18
Revision of Strategies, Plans and Programs	19
Reporting and Auditing	19
Access to Information	21
APPENDIX 1: DEVELOPMENT LAND	21
APPENDIX 2: DEVELOPMENT MAPS	22
APPENDIX 3: STATEMENT OF COMMITMENTS	26
APPENDIX 4: NOISE ASSESSMENT LOCATIONS	29
APPENDIX 5: INDEPENDENT DISPUTE RESOLUTION	31

DEFINITIONS

Aboriginal Object / Place	Has the same meaning as the definition of the term in section 5 of the NP&W Act
Annual review Applicant	The review required by condition 1 of Schedule 5 Great Southern Energy Pty Limited, or any person carrying out development under this consent
Affected councils APAs BCA BCD	Central Coast Council and Lake Macquarie City Council The asset protection zones shown in Figure 4 in Appendix 2 Building Code of Australia Biodiversity and Conservation Division within the Department
Built features	Includes any building or work erected or constructed on land, and includes dwellings and infrastructure such as any formed road, street, path, walk, or driveway; and any pipeline, water, sewer, telephone, gas or other service main
Calendar year	A period of 12 months from 1 January to 31 December
CCC	Community Consultative Committee
CC Council	Central Coast Council
Conditions of this consent	Conditions contained in Schedules 2 to 5 inclusive
Day	The period from 6 am to 6 pm on Monday to Saturday, and 9 am to 6 pm on Sundays and Public Holidays
Department DPIE Water EA	Department of Planning, Industry and Environment Water Group within the Department Environmental Assessment titled <i>Manning Colliery Environmental Assessment</i> , dated March 2014, including the response to submissions, dated 21 July 2014
EA (Mod 1)	Environmental Assessment titled <i>Manning Colliery – Extension of Mine Project Section 75W Modification to Project Approval 06_0311</i> , as modified by the associated response to submissions dated 4 September 2014
EA (Mod 2)	Environmental Assessment titled <i>'Manning Colliery – Modification 2, Environmental Assessment, Section 75W Modification to MP 06_0311'</i> dated April 2014, as modified by the associated response to submissions dated 15 September 2014
EA (Mod 3)	Environmental Assessment titled <i>'Manning Colliery – Modification 3 Environmental Assessment, Section 75W Modification to MP 06_0311'</i> dated June 2015, including the associated Response to Submissions dated September 2015
EA (Mod 4)	Environmental Assessment titled <i>'Administrative modification to MP06_0311 – Environmental Assessment'</i> dated 25 July 2014
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings NSW Environment Protection Authority
EPA	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Act	<i>Environmental Planning and Assessment Regulation 2000</i>
EP&A Regulation	<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
EPBC Act	
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6 pm to 10 pm
Feasible	Means what is possible and practical in the circumstances
First workings	The extraction of coal by bord and pillar mining methods (including herringbone pattern workings) and from main headings, gateroads and cut-throughs and the like, provided that such workings are long-term stable and do not generate more than 20 mm of vertical subsidence at the surface
Heritage item	An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree, or precinct of heritage significance, that is listed under any of the following: <ul style="list-style-type: none"> • the State Heritage Register under the <i>Heritage Act 1977</i>; • a state agency heritage and conservation register under section 100 of the <i>Heritage Act 1977</i>; • a Local Environmental Plan under the EP&A Act; • the World Heritage List; • the National Heritage List or Commonwealth Heritage List under the EPBC Act; or

	<ul style="list-style-type: none"> anything identified as a heritage item under the conditions of this consent.
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm that may or may not be or cause a non-compliance
Land	Has the same meaning as the definition of the term in section 4 of the EP&A Act, except where the term is used in the noise and air quality conditions in Schedules 3 and 4 of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at NSW Land Registry Services at the date of this consent
Material harm	Is harm to the environment that <ul style="list-style-type: none"> involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Mining operations	The carrying out of underground mining, including the extraction, processing, stockpiling and transportation of coal on the site and the emplacement of coarse/fine reject material resulting from underground mining
Minister	The Minister for Planning and Public Spaces, or delegate
Minor	Not very large, important or serious
Modification 1	The modification to the development as described in EA (Mod 1)
Modification 2	The modification to the development as described in EA (Mod 2)
Modification 3	The modification to the development as described in EA (Mod 3)
Modification 4	The modification to the development as described in EA (Mod 4)
Modification 5	The modification to the development as described in SEE (Mod 5)
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10pm to 6am on Monday to Saturday, and 10pm to 6am on Sundays and Public Holidays
NP&W Act	<i>National Parks and Wildlife Act 1974</i>
NPfl	Noise Policy for Industry (EPA, 2011)
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
Privately-owned land	Land that is not owned by a public agency, Delta Electricity (or its subsidiary) or a mining company (or its subsidiary)
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Registered Aboriginal Parties	As described in the <i>National Parks and Wildlife Regulation 2009</i>
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
RFS	NSW Rural Fire Service
ROM	Run-of-mine
RR	Regional NSW Resources Regulator
SA NSW	Subsidence Advisory NSW
Second workings	Extraction of coal by longwall, miniwall, pillar extraction, pillar splitting or pillar reduction methods, and inclusive of any first workings methods that would generate more than 20 mm of vertical subsidence at the surface
SEE (Mod 5)	Statement of Environmental Effects titled <i>Statement of Environmental Effects, Mannering Colliery – Modification 5</i> dated May 2019, prepared by EMM Consulting, and the associated Response to Submissions dated August 2019, prepared by EMM Consulting.
Site	Land referred to in Appendix 1
SMP	Subsidence Management Plan
Statement of Commitments	The Statement of Commitments in Appendix 3
Subsidence	Subsidence of the land surface caused by underground coal mining
TfNSW	Transport for NSW

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

- In addition to meeting the specific performance measures and criteria established under this development, the Applicant must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

Terms of Approval

2. The development may only be carried out
 - (a) in compliance with the conditions of this consent;
 - (b) in accordance with the statement of commitments in Appendix 3;
 - (c) in accordance with the approved mine plan in Appendix 2;
 - (d) in accordance with all written directions of the Planning Secretary; and
 - (e) generally in accordance with the EA, EA (Mod □), EA (Mod 2), EA (Mod 3), EA (Mod 4) and SEE (Mod 5).
3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to
 - (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition 3(a).
4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in condition 2(e). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition 2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits on Consent

5. Mining operations may take place until 30 December 202□.

Note: Under this consent, the Applicant is required to rehabilitate the site to the satisfaction of the Planning Secretary and RR. Consequently, this consent will continue to apply in all other respects other than the right to conduct mining operations until the site has been rehabilitated to a satisfactory standard.

- The Applicant **must** not extract more than □□ million tonnes of ROM coal a year from the site.
- A. The Applicant **must not transport more than 2.□ million tonnes of ROM coal a year from the site.**
- The Applicant **must** ensure all coal produced **and/or received** on the site is transported by overland conveyor to Vales Point Power Station.
- Deleted.

Structural Adequacy

9. The Applicant **must** ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for any proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*
- *Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of SANSW's approval before carrying out certain development in a Mine Subsidence District.*

Demolition

10. The Applicant must ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

Operation of Plant and Equipment

11. All plant and equipment used on site, or to monitor the performance of the development must be
- maintained in a proper and efficient condition; and
 - operated in a proper and efficient manner.

Community Enhancement Program

12. The Applicant must pay the affected councils \$0.02 for each tonne of ROM coal produced by the development for the purpose of improving water quality in the Lake Macquarie catchment. This payment must be
- shared equally by the affected councils;
 - made by the end of March 2009, and at yearly intervals thereafter;
 - calculated on the ROM coal produced in the previous calendar year; and
 - subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.

Community Consultative Committee

13. A Community Consultative Committee (CCC) must be established for the development in accordance with the Department's *Community Consultative Committee Guidelines: State Significant Developments (2009)*. The CCC must continue to operate during the life of the development, or other timeframe agreed by the Planning Secretary.

Notes:

- The CCC is an advisory committee only.
- In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, affected Councils and the local community.

14. With the approval of the Planning Secretary, the Applicant may combine the CCC required by this development with any similar CCC required by a consent or approval for any adjoining mine subject to common, shared or related ownership or management.

Evidence of Consultation

15. Where conditions of this consent require consultation with an identified party, the Applicant must
- consult with the relevant party prior to submitting the subject document;
 - provide details of the consultation undertaken including
 - the outcome of that consultation, matters resolved and unresolved; and
 - details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Staging, Combining and Updating Strategies, Plans or Programs

16. With the approval of the Planning Secretary, the Applicant may
- prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);
 - update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and

- (d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by an adjoining mining consent or approval, in common ownership or management.
- If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.

Application of Existing Strategies, Plans or Programs

- 9. The Applicant must continue to apply existing management strategies, plans or monitoring programs approved prior to the approval of Modification 5, until the approval of a similar plan, strategy or program following the approval of Modification 5.

Protection of Public Infrastructure

- 20. Unless the Applicant and the applicable authority agree otherwise, the Applicant must
 - (a) repair, or pay the full costs associated with repairing, any public infrastructure^a that is damaged by carrying out the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure^a that needs to be relocated as a result of the development.

^a This condition does not apply to any damage to roads caused as a result of general road usage or to damage that has been compensated under the Mining Act 1992.

Compliance

- 21. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

Applicability of Guidelines

- 22. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of inclusion (or later update) in the condition.
- 23. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

**SCHEDULE 3
SPECIFIC ENVIRONMENTAL CONDITIONS**

NOISE

Construction Noise

1. The Applicant must ensure that the noise generated by any construction work is managed in accordance with the requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009).

Operational Noise Criteria

2. Except for the carrying out of construction works, the Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence^a on privately owned land.

Table 1: Operational noise criteria dB(A)

Noise Assessment Location	Day	Evening	Night	Night
	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{A1} (1 min)
4 di Rocco	40	30	30	40
5 Keighran	40	39	39	49
Swan	40	30	30	40
Druitt	40	35	35	45
MacQuarie Shores Home Village	42	42	42	40
9 Leans	40	30	30	40
Leans	40	30	30	40
Leans	40	30	30	40
20 Knight and all other privately owned residences	40	30	30	40

^a The Noise Assessment Locations referred to in Table 1 are shown in Appendix 4.

Noise generated by the development must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the *NSW Noise Policy for Industry* (EPA, 2001).

3. The noise criteria in Table 1 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.

Noise Operating Conditions

- 3A. The Applicant must
- take all reasonable steps to minimise noise from construction and operational activities, including low frequency noise and other audible characteristics, associated with the development;
 - implement reasonable and feasible noise attenuation measures on all plant and equipment that will operate in noise sensitive areas;
 - operate a comprehensive noise management system commensurate with the risk of impact;
 - take all reasonable steps to minimise the noise impacts of the development during noise enhancing meteorological conditions when the noise criteria in this consent do not apply (see NPfI);
 - carry out regular attended noise monitoring (at least once a month, unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent;

- (f) regularly assess the noise monitoring data and modify or stop operations on the site to ensure compliance with the relevant conditions of this consent; and
- (g) implement reasonable and feasible measures to further enclose the structure housing the coal crusher in order to further mitigate noise from operational activities.

3B. The Applicant must decommission the surface rotary breaker identified in the Statement of Commitments at Appendix 3, within 3 months of approval of Modification 5.

Noise Management Plan

3C. The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) describe the measures to be implemented to ensure
 - i. compliance with the noise criteria and operating conditions in this consent;
 - ii. best practice management is being employed; and
 - iii. noise impacts of the development are minimised during noise-enhancing meteorological conditions when the noise criteria in this consent do not apply (see NPfl);
- (c) describe the noise management system in detail; and
- (d) include a monitoring program that
 - i. uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the development;
 - ii. monitors noise at the nearest and/or most affected residences;
 - iii. includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time;
 - iv. adequately supports the noise management system;
 - v. includes a protocol for distinguishing noise emissions of the development from any neighbouring developments; and
 - vi. includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event.

The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.

SUBSIDENCE

4. The Applicant must limit its coal extraction methods on the site to first workings only, and must not undertake second workings.

5. Deleted.

SOIL AND WATER

Discharge

- The Applicant must only discharge water from the site as expressly provided for by its EPL.
- The Applicant must investigate, assess and report on the ecological interactions of minewater discharged from the site with the aquatic ecology of the unnamed creek and wetlands (and associated vegetation) between the minewater discharge point/s and Lake Macquarie. This report must
 - (a) be prepared in consultation with EPA by suitably qualified expert/s whose appointment/s have been approved by the Planning Secretary;
 - (b) be submitted to the Planning Secretary by the end of March 2009; and
 - (c) assess the probable alterations in the local ecology attributable to previous and proposed minewater discharges and any future cessation of minewater discharge flows.

Water Management Plan

- The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must
 - (a) be prepared in consultation with DPIE Water by suitably qualified expert/s whose appointment/s have been approved by the Planning Secretary;
 - (b) be submitted to the Planning Secretary by the end of March 2009; and
 - (c) include a
 - Site Water Balance;

- Erosion and Sediment Control Plan;
- Surface Water Monitoring Plan; and
- Groundwater Monitoring Program.

The Applicant must implement the Water Management Plan approved by the Planning Secretary.

Site Water Balance

9. The Site Water Balance must
- include details of
 - sources and security of water supply;
 - water use on site;
 - water management on site; and
 - investigate, assess and report on measures to minimise water use by the development, particularly potable water from the Wyong Shire town water supply.

Erosion and Sediment Control

10. The Erosion and Sediment Control Plan must
- be consistent with the requirements of *Managing Urban Stormwater: Soils and Construction* (Landcom 2004, or its latest version);
 - identify activities that could cause soil erosion and generate sediment;
 - describe measures to minimise soil erosion and the potential for transport of sediment from the site;
 - describe the location, function, and capacity of erosion and sediment control structures; and
 - describe what measures would be implemented to monitor and maintain the structures over time.

Surface Water Monitoring Program

11. The Surface Water Monitoring Plan must include
- detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the development;
 - surface water impact assessment criteria;
 - a program to monitor the impact of the development on surface water flows and quality; and
 - procedures for reporting the results of this monitoring.

Groundwater Monitoring Program

12. The Groundwater Monitoring Program must include
- detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality;
 - groundwater impact assessment criteria;
 - a program to monitor the impact of the development on groundwater levels, yield and quality; and
 - procedures for reporting the results of this monitoring.

REHABILITATION

13. The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. Rehabilitation must be generally consistent with the proposed rehabilitation described in the EA and the Statement of Commitments, and comply with the objectives in Table 2.

Table 2: Rehabilitation Objectives

Feature	Objective
Mine site (as a whole of the disturbed land and water)	Safe, stable and non-polluting, fit for the purpose of the intended post-mining land use(s).
Surface Infrastructure	To be decommissioned and removed, unless the RR agrees otherwise.
Portals and ventilation shafts	To be decommissioned and made safe and stable.
Other land affected by the development	Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of <ul style="list-style-type: none"> • local native plant species (unless the RR agrees otherwise); and • a landform consistent with the surrounding environment.
Built features damaged by mining operations	Repair to pre-mining condition or equivalent unless <ul style="list-style-type: none"> • the owner agrees otherwise; or

	<ul style="list-style-type: none"> the damage is fully restored, repaired or compensated under the <i>Mine Subsidence Compensation Act 1961</i>.
Community	Ensure public safety.

- 3A. The Applicant must carry out all surface disturbing activities in a manner that, as far as practicable, minimises potential for dust emissions and must carry out rehabilitation of disturbed areas progressively, that is, as soon as reasonably practicable following disturbance.

Land Management Plan

4. The Applicant must prepare a detailed Land Management Plan for the site to the satisfaction of the Planning Secretary. This plan must
- be submitted to the Planning Secretary by the end of September 2000;
 - be prepared by suitably qualified expert/s whose appointment/s have been endorsed by the Planning Secretary;
 - be prepared in consultation with RR, BCD and affected councils; and
 - include measures to
 - minimise visual impacts;
 - control weeds, feral pests and access; and
 - manage bushfires; and
 - provide details of who is responsible for monitoring, reviewing and implementing the plan.

Prior to the end of April 2000, the Applicant must revise the Land Management Plan to incorporate the measures required to implement its commitments described in new row 2 of the Terrestrial Ecology section of its Statement of Commitments, and submit it to the Planning Secretary for approval.

The Applicant must implement the Land Management Plan approved by the Planning Secretary.

- 4A. The Applicant must implement its preferred option of the three options set out in new row 2 of the Terrestrial Ecology section of its Statement of Commitments by 1 December 2000, following consultation with BCD and to the satisfaction of the Planning Secretary.

Rehabilitation Management Plan

5. The Applicant must prepare a Rehabilitation Management Plan for the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. This plan must
- be submitted within 3 months of approval of Modification 2 to the RR prior to carrying out any disturbing activities of the development, unless otherwise agreed by the Planning Secretary;
 - be prepared in accordance with RR guidelines and in consultation with the Department, BCD, EPA, DPIE Water, affected councils and the mine's CCC;
 - incorporate and be consistent with the rehabilitation objectives in the EA, Statement of Commitments and Table 2 above;
 - integrate and build on, to the maximum extent practicable, the other management plans required under this consent; and
 - address all aspects of mine closure and rehabilitation, including post-mining land use domains, rehabilitation objectives, completion criteria and rehabilitation monitoring and management.

Note: The approved Mining Operations Plan (which will become the REMP once the Mining Act Amendments have commenced) required as a condition of the Mining Lease(s) issued in relation to this development, will satisfy the requirements of this condition for a Rehabilitation Plan.

AIR QUALITY

Impact Assessment Criteria

- The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any residence on privately owned land.

Table 3: Air quality criteria

Pollutant	Averaging period	Criterion
Particulate matter $\leq 2.5 \mu\text{m}$ (PM _{2.5})	Annual	^{a, c} $\leq 12 \mu\text{g}/\text{m}^3$
	24 hour	^b $25 \mu\text{g}/\text{m}^3$
Particulate matter $\leq 10 \mu\text{m}$ (PM ₁₀)	Annual	^{a, c} $25 \mu\text{g}/\text{m}^3$
	24 hour	^b $50 \mu\text{g}/\text{m}^3$
Total suspended particulate (TSP) matter	Annual	^{a, c} $90 \mu\text{g}/\text{m}^3$
^d Deposited dust	Annual	^b $2 \text{ g}/\text{m}^2/\text{month}$ ^a $4 \text{ g}/\text{m}^2/\text{month}$

Notes:

^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).

^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).

^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.

^d Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

- A. The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.

Air Quality and Greenhouse Gas Management Plan

- The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This plan must
 - (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) describe the measures to be implemented to ensure
 - i. capture and flaring of methane produced by underground coal mining;
 - ii. compliance with the air quality criteria and operating conditions in this consent;
 - iii. best practice management is being employed (including in respect of minimisation of greenhouse gas emissions from the site and energy efficiency); and
 - iv. the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;
 - (c) describe the air quality management system in detail; and
 - (d) include an air quality monitoring program, undertaken in accordance with the *Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales* (DEC, 200□), that
 - i. uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of operations;
 - ii. adequately supports the air quality management system; and
 - iii. includes a protocol for identifying an air quality incident and notifying the Department and relevant stakeholders of any such incident.

Note: "Methane produced by underground coal mining" does not include methane within mine ventilation air.

- A. The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.

METEOROLOGICAL MONITORING

- B. For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that□
- (a) complies with the requirements in the *Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales* (DEC, 200□); and
 - (b) is capable of measuring meteorological conditions in accordance with the *NSW Noise Policy for Industry* (EPA, 20□□), unless a suitable alternative is approved by the Planning Secretary following consultation with the EPA.

HERITAGE

Protection of Aboriginal Heritage

- The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage item located outside the approved disturbance area, beyond those predicted in the documents listed in condition 2(e) of Schedule 2.

Heritage Management Plan

- A. The Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This Plan must□
- (a) be prepared by suitably □qualified and experienced persons whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with BCD and Registered Aboriginal Parties;
 - (c) include consideration of the Aboriginal and non□Aboriginal cultural context and significance of the site;
 - (d) describe the procedures and management measures to be implemented on the site or within any offset area to□
 - i. ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;
 - ii. protect, monitor and manage identified non□Aboriginal heritage, Aboriginal objects and Aboriginal places (including any proposed archaeological investigations of potential subsurface objects and salvage of objects within the approved disturbance area) in accordance with the commitments made in the document/s listed in condition 2(e) of Schedule 2;
 - iii. protect non□Aboriginal heritage, Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;
 - iv. manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development;
 - v. maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and
 - vi. facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site; and
 - (e) include a strategy for the care, control and storage of Aboriginal objects salvaged on site, both during the life of the development and in the long term.

The Applicant must implement the Heritage Management Plan approved by the Planning Secretary.

VISUAL

- 9. The Applicant must□
- (a) ensure no outdoor lights shine above the horizontal;
 - (b) ensure that all external lighting associated with the development complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*;
 - (c) take all practicable measures to mitigate off-site lighting impacts from the development; and
 - (d) minimise the visual impacts of the development, to the satisfaction of the Planning Secretary.

TRANSPORT

Monitoring of Coal Transport

20. The Applicant must keep records of the amount of coal transported from the site each year, and include these records in the Annual Review.

Ruttleys Road Intersection

21. The Applicant must
- complete a road safety audit of the intersection of Ruttleys Road and Mannering Colliery Access Road by the end of March 2009;
 - provide copies of this audit to TfNSW, Central Coast Council and the Planning Secretary within one month of its completion; and
 - within 3 months of approval of Modification 2, install additional sections of guardrail (safety barrier) on the eastern side of Ruttleys Road between the Mannering Colliery access road and existing sections of guardrail further to the north;
 - be responsible for the maintenance and upkeep of the pavement of the Ruttleys Road/Mannering Colliery access road intersection whilst the site is used for mining purposes or until the intersection is upgraded to a Type CHR intersection treatment; and
 - prior to the number of workers (direct employees and contractors) at Mannering Colliery exceeding 10, the Applicant must upgrade the Ruttleys Road/Mannering Colliery access road intersection to a Type CHR treatment in accordance with Construction Certificate SCC/09/20 issued by Central Coast Council, or later updated versions of this Construction Certificate; to the satisfaction of the Planning Secretary.

BUSHFIRE MANAGEMENT

22. The Applicant must
- ensure that the development
 - provides for asset protection in accordance with the relevant requirements in the *Planning for Bushfire Protection* (RFS, 2006) guideline; and
 - ensure that there is suitable equipment to respond to any fires on the site; and
 - assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.

WASTE

23. The Applicant must
- monitor the amount of waste generated by the development;
 - investigate ways to minimise waste generated by the development;
 - implement reasonable and feasible measures to minimise waste generated by the development; and
 - report on waste management and minimisation in the Annual Review, to the satisfaction of the Planning Secretary.

EXPLORATION ACTIVITIES AND SURFACE INFRASTRUCTURE

Exploration Activities and Minor Surface Infrastructure Management Plan

24. Prior to carrying out exploration activities on the site under this consent that would cause temporary surface disturbance, or exploration activities within the waters or lake bed of Lake Macquarie, or the construction and/or upgrade of minor surface infrastructure on the site, the Applicant must prepare an Exploration Activities and Minor Surface Infrastructure Management Plan for the development to the satisfaction of the Planning Secretary. This Plan must
- be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - be prepared in consultation with RR, NSW Maritime Division of TfNSW, NSW Fisheries and BCD;
 - include a description of the measures to be implemented for
 - managing exploration activities;
 - managing construction and operation of minor surface infrastructure and associated access tracks;
 - consulting with and if necessary compensating affected landowners;

- iv. assessing noise, air quality, traffic, biodiversity, heritage, public safety and other impacts;
- v. beneficial reuse or flaring of drained hydrocarbon gases, wherever practicable;
- vi. avoiding significant impacts and minimisation of impacts generally;
- vii. avoiding or minimising impacts on threatened species, populations or their habitats and EECs;
- viii. minimising clearance and disturbance of native vegetation (including seagrasses);
- ix. minimising and managing erosion and sedimentation; and
- x. rehabilitating disturbed areas.

Note: Consultation with NSW Maritime Division of TfNSW and NSW Fisheries is not required for land-based exploration activities and minor surface infrastructure.

The Applicant must implement the Exploration Activities and Minor Surface Infrastructure Management Plan as approved by the Planning Secretary.

SCHEDULE 4 ADDITIONAL PROCEDURES

INDEPENDENT REVIEW

- If a landowner considers the **development** to be exceeding the impact assessment criteria in schedule 3, then he/she may ask the **Planning Secretary** in writing for an independent review of the impacts of the **development** on his/her land.

If the **Planning Secretary** is satisfied that an independent review is warranted, the **Applicant must** within 2 months of the **Planning Secretary's** decision □

- (a) consult with the landowner to determine his/her concerns;
 - (b) commission a suitably □ualified, experienced and independent person, whose appointment has been approved by the **Planning Secretary**, to conduct monitoring on the land, to □
 - determine whether the **development** is complying with the relevant impact assessment criteria in schedule 3; and
 - identify the source(s) and scale of any impact on the land, and the **development's** contribution to this impact; and
 - give the **Planning Secretary** and landowner a copy of the independent review.
2. If the independent review determines that the **development** is complying with the relevant impact assessment criteria in schedule 3, then the **Applicant** may discontinue the independent review with the approval of the **Planning Secretary**.
3. If the independent review determines that the **development** is not complying with the relevant impact assessment criteria in schedule 3, and that the **development** is primarily responsible for this non □ compliance, then the **Applicant must** □
 - (a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the **development** complies with the relevant criteria; and
 - (b) conduct further monitoring to determine whether these measures ensure compliance.

If the additional monitoring referred to above subsequently determines that the **development** is complying with the relevant criteria in schedule 3, or the **Applicant** and landowner enter into a negotiated agreement to allow these exceedances, then the **Applicant** may discontinue the independent review with the approval of the **Planning Secretary**.

4. If the independent review determines that the relevant criteria in schedule 3 are being exceeded, but that more than one **development** is responsible for this non □ compliance, then the **Applicant must**, together with the relevant **development/s** □
 - (a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the relevant criteria are complied with; and
 - (b) conduct further monitoring to determine whether these measures ensure compliance; or
 - (c) secure a written agreement with the landowner and other relevant **developments** to allow exceedances of the criteria in schedule 3, to the satisfaction of the **Planning Secretary**.

If the additional monitoring referred to above subsequently determines that the **developments** are complying with the relevant criteria in schedule 3, then the **Applicant** may discontinue the independent review with the approval of the **Planning Secretary**.

5. If the landowner disputes the results of the independent review, either the **Applicant** or the landowner may refer the matter to the **Planning Secretary** for resolution.

If the matter cannot be resolved within 2 □ days, the **Planning Secretary** shall refer the matter to an Independent Dispute Resolution Process.

SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

- The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must□
- (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) set out the procedures to be implemented to□
 - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - receive record, handle and respond to complaints;
 - resolve any disputes that may arise during the course of the development;
 - respond to any non-compliance and any incident; and
 - respond to emergencies; and
 - (e) include□
 - references to any strategies, plans and programs approved under the conditions of this consent; and
 - a clear plan depicting all the monitoring to be carried out under the conditions of this consent.

The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.

Adaptive Management

2. The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and performance measures in this consent. Any exceedance of these criteria or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity□

- (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;
- (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
- (c) implement reasonable remediation measures as directed by the Planning Secretary.

Management Plan Requirements

3. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include□
- (a) a summary of relevant background or baseline data;
 - (b) details of□
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures and criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) any relevant commitments or recommendations identified in the document/s listed in condition 2(e) of Schedule 2;
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the□
 - impacts and environmental performance of the development; and

- effectiveness of the management measures set out pursuant to condition 2(e) of Schedule 2;
- (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
- (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
- (h) a protocol for managing and reporting any
 - incident, non-compliance or exceedance of any impact assessment criterion or performance criterion;
 - complaint; or
 - failure to comply with other statutory requirements;
- (i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and
- (j) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

4. The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

5. Within three months of
- (a) the submission of an incident report under condition 8;
 - (b) the submission of an Annual Review under condition 9;
 - (c) the submission of an Independent Environmental Audit under condition 9; or
 - (d) the approval of any modification of the conditions of this consent (unless the conditions require otherwise),
- the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.

If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

Note: *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:*

REPORTING AND AUDITING

Incident Notification

- The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name) and set out the location and nature of the incident.

Non-Compliance Notification

- Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Note: *A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*

Annual Review

- By the end of March in each year after the commencement of the development, or other timeframe agreed by the Planning Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Planning Secretary. This review must

- (a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current financial/calendar year;
- (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, including a comparison of these results against the
 - relevant statutory requirements, limits or performance measures/criteria;
 - requirements of any plan or program required under this consent;
 - monitoring results of previous years; and
 - relevant predictions in the document/s listed in condition 2(e) of Schedule 2;
- (c) identify any non-compliance or incident which occurred in the previous calendar year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;
- (d) evaluate and report on
 - the effectiveness of the noise and air quality management systems; and
 - compliance with the performance measures, criteria and operating conditions of this consent;
- (e) identify any trends in the monitoring data over the life of the development;
- (f) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (g) describe what measures will be implemented over the next calendar year to improve the environmental performance of the development.

Copies of the Annual Review must be submitted to the affected Councils and made available to the CCC and any interested person upon request.

Independent Environmental Audit

- 9. By the end of February 2022, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must
 - (a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;
 - (b) be led and conducted by a suitably qualified, experienced and independent team of experts (including any be expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary;
 - (c) be carried out in consultation with the relevant agencies and the CCC;
 - (d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);
 - (e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;
 - (f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and
 - (g) be conducted and reported to the satisfaction of the Planning Secretary.
- 10. Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.

Monitoring and Environmental Audits

- 11. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.

For the purposes of the condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the

development to provide information on compliance with the consent or the environmental management or impact of the development.

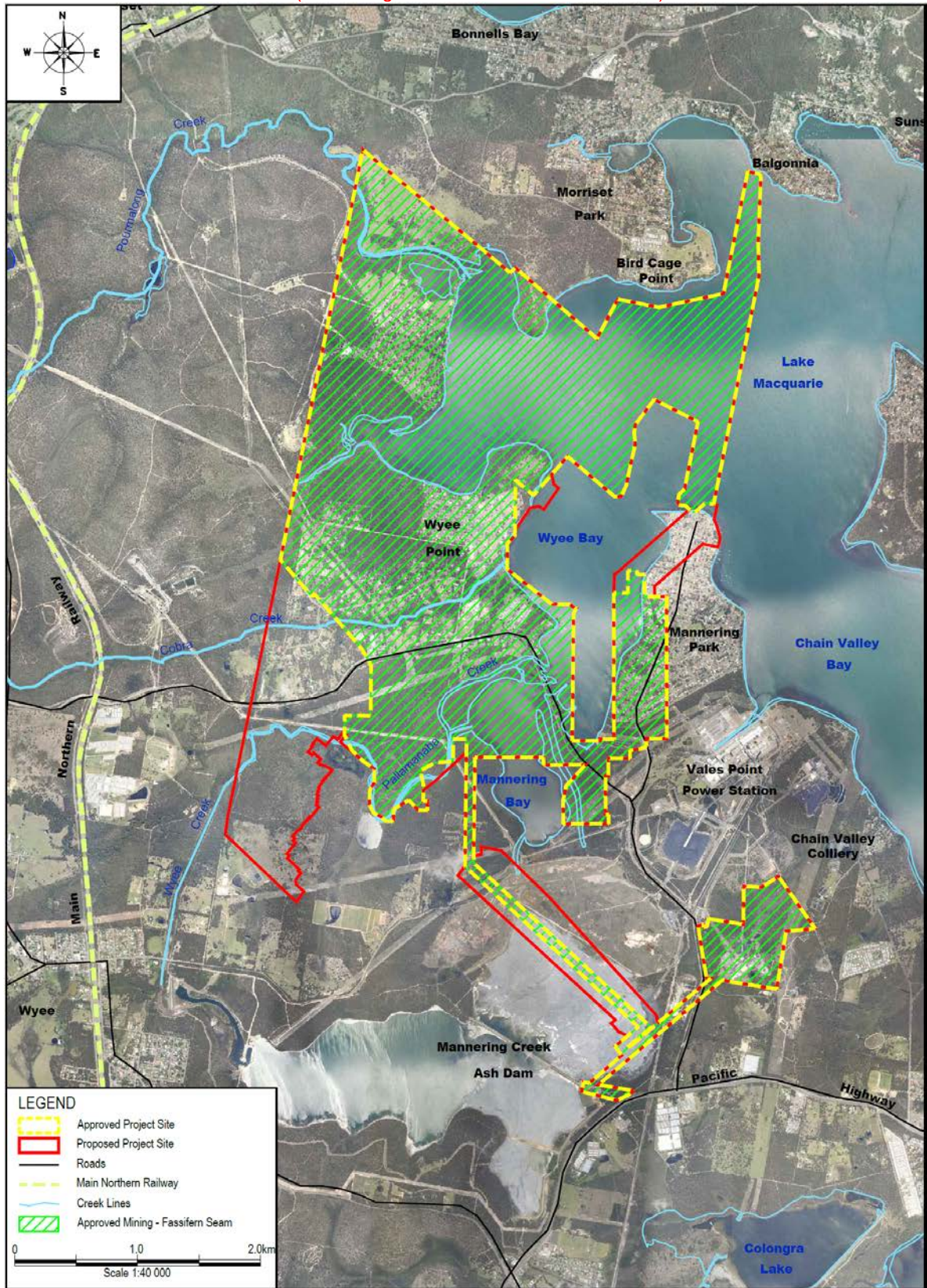
- 2. Noise and/or air □uality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately□owned residences or other locations listed in Schedule 3, providing that these representative monitoring locations are set out in the respective management plan/s.

ACCESS TO INFORMATION

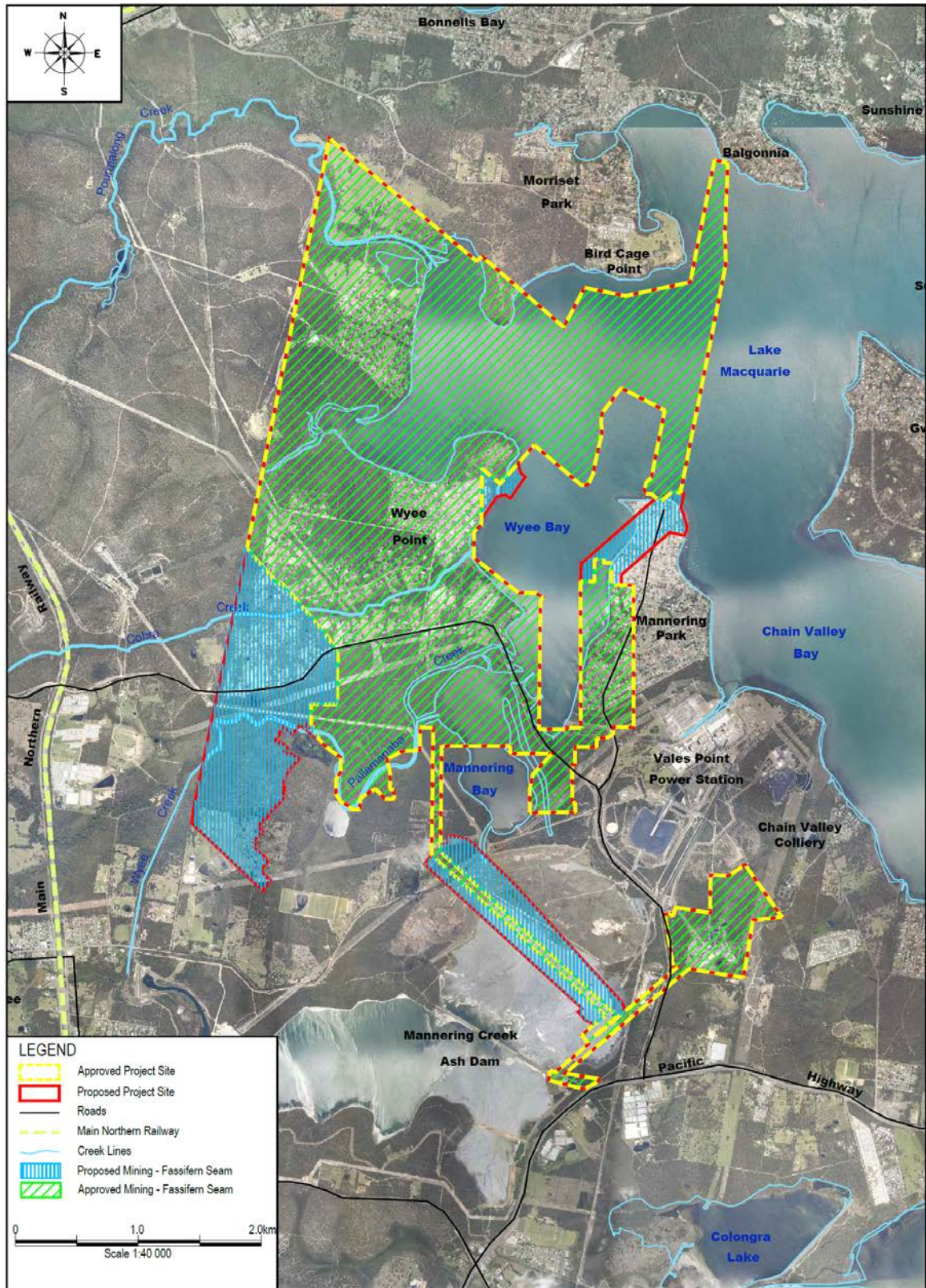
- 3. □ntil the completion of all rehabilitation re□uired under this consent, the Applicant must□
- (a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website□
- the documents referred to in condition 2(e) of Schedule 2 of this consent;
 - all current statutory approvals for the development;
 - all approved strategies, plans and programs re□uired under the conditions of this consent;
 - the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - minutes of CCC meetings;
 - regular reporting on the environmental performance of the development in accordance with the reporting re□uirements in any plans or programs approved under the conditions of this consent;
 - a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - a summary of the current progress of the development;
 - contact details to en□uire about the development or to make a complaint;
 - a complaints register, updated monthly;
 - the Annual Reviews of the development;
 - audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report; and
 - any other matter re□uired by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1: DEVELOPMENT LAND

Manning Colliery □ Land to which the Development Consent applies
(shown edged in solid and dashed red lines)



APPENDIX 2: DEVELOPMENT MAPS



To be printed A4



Mannering Colliery - Extension of Mine Project
Proposed Mine Plan (Revised July 2012)

Figure 1: Revised Mine Plan for Fassifern Seam

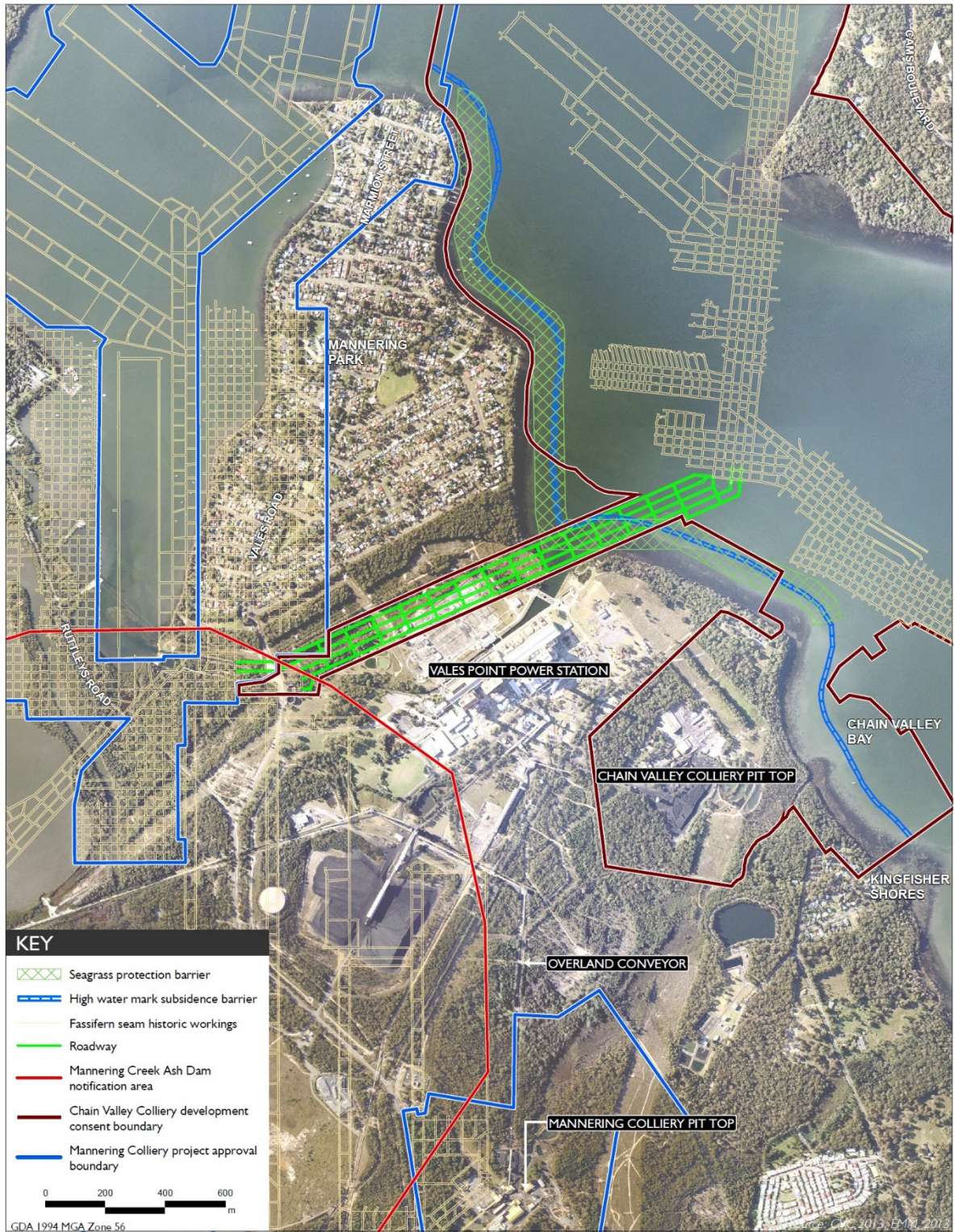


Figure 2: Location of the underground linkage to Chain Valley Colliery

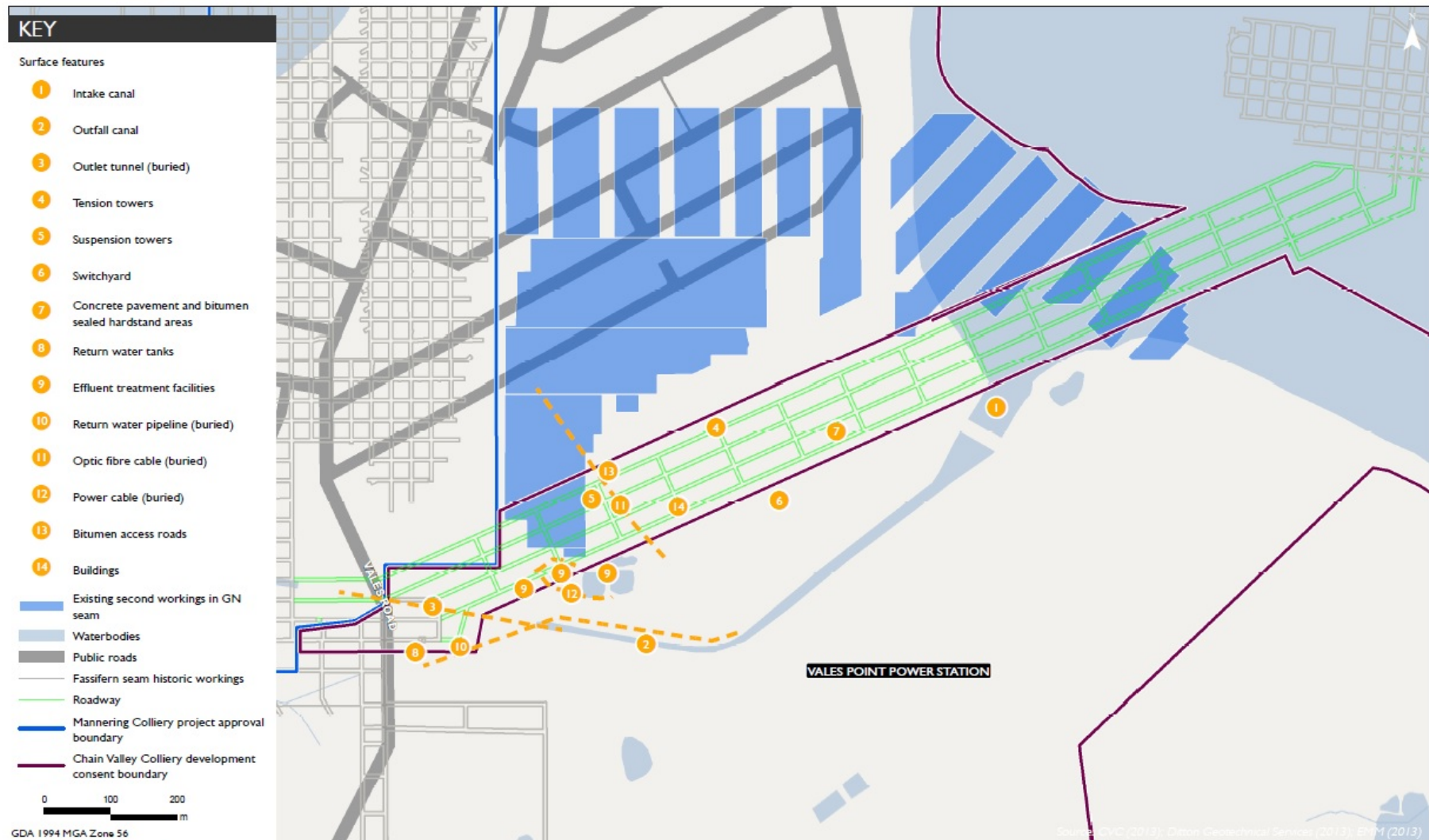


Figure 3: Location of the underground link and surface infrastructure



Figure 4. Location of asset protection zones

APPENDIX 3: STATEMENT OF COMMITMENTS

Revised Statement of Commitments (April 2020)

Revised Statement of Commitments

Subsidence
Mining to be limited to bord and pillar methods where coal recovery is limited to first workings only.
Monitoring of the existing subsidence monitoring marks will continue and additional subsidence monitoring marks will be installed above the proposed mining areas to measure the subsidence and verify that subsidence is within the predicted levels.
If it is identified that subsidence levels are greater than the predicted maximum of 20 millimetres, the RR will be consulted to determine appropriate management and mitigation actions.
Water Management
Great Southern Energy Pty Limited will undertake a review of the existing site water management system in consultation with the EPA.
The water level within the sediment pond system will be monitored and kept at a relatively low operating level, such that the ponds can provide a detention function in a significant rainfall event.
A visual assessment of the unnamed creek will be undertaken every 12 months to monitor stability and erosion.
Where practicable, underground water levels will be recorded to monitor changes in the level of water stored in underground depressions and to verify that the rate of extraction is sufficient.
The extraction of underground water from the mine workings will be undertaken in accordance with the Water Access Licence (WAL40400) issued under the Water Management Act 2000.
To enable ongoing assessment of the quality of water discharged, the existing monitoring program will be maintained for the life of the Development with the following enhancements <ul style="list-style-type: none"> • An assessment of the surrounding catchments summarising land uses and other background information to characterise an appropriate water quality; and • Annual monitoring of heavy metals at the monitoring location identified as 'Downstream'
Terrestrial Ecology
The following measures to manage the impacts of vegetation clearing/disturbance associated with the AP requirements will be ongoing <ul style="list-style-type: none"> • weed management; • large trees will be retained as a priority where possible; • felled trees will be relocated adjacent to the APs to create additional fauna habitat; • any injured fauna will be taken to the nearest veterinary hospital for treatment before release; and • an ecologist will complete a pre-disturbance survey to determine important components of the Swamp Oak Floodplain Forest EEC for retention in the APs.
LakeCoal will investigate the following options for biodiversity offsets <ul style="list-style-type: none"> • provide \$20,000 of funding, which is equivalent to the biodiversity being lost (ie 5 credits x \$2,000 per credit) to existing environmental programs at the site which benefits the Swamp Oak Floodplain Forest EEC; or • consult with BCD to identify a suitable conservation program and provide \$20,000 of funding; or

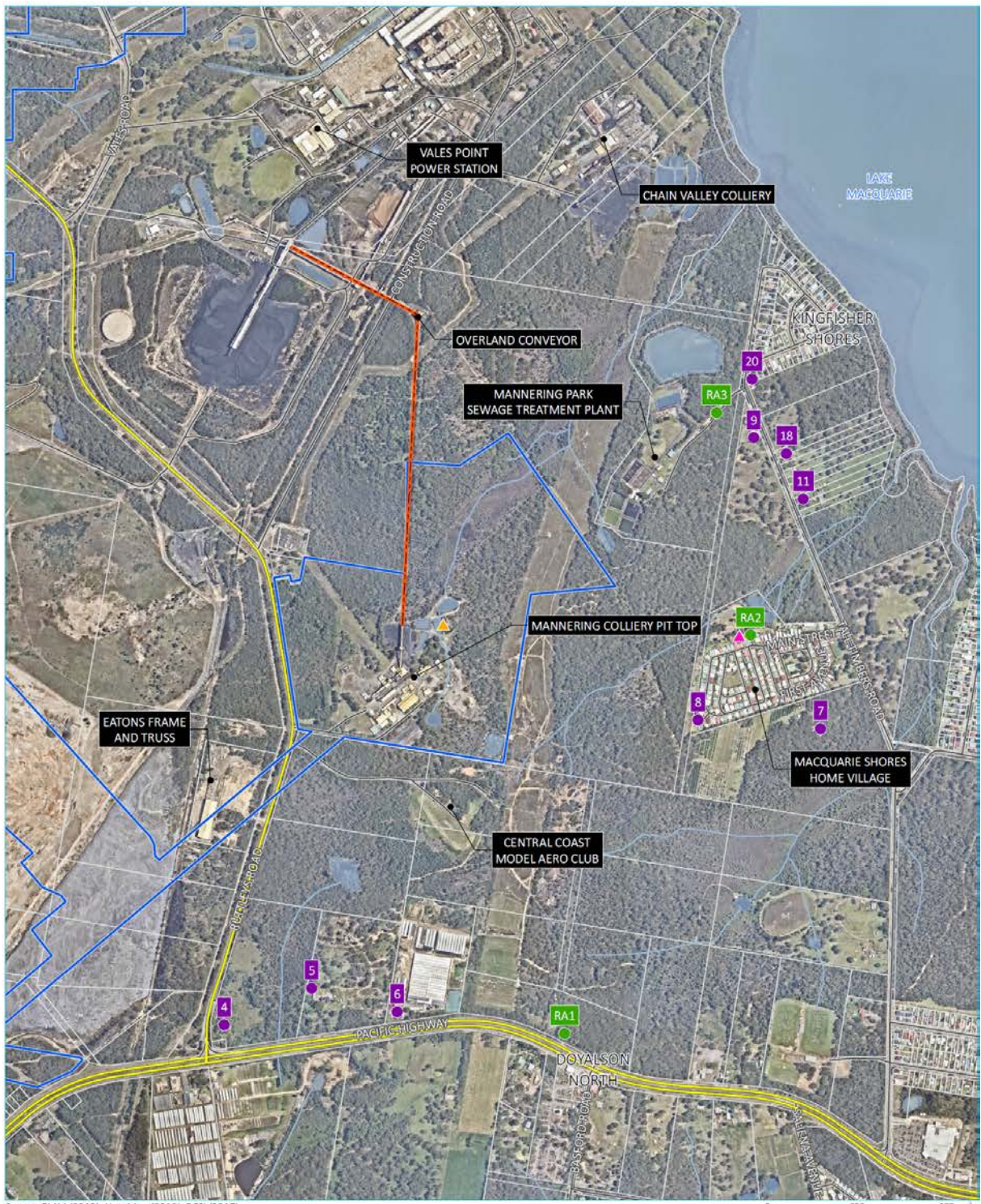
<ul style="list-style-type: none"> purchase and retire 5 credits on the Biobanking register. <p>These options will be considered by the Applicant in consultation with BCD and will reflect BCD's Approved BioBanking Assessment Methodology 2014. The option that achieves the greatest benefit to the biodiversity impacted by the proposed modification will be selected.</p>
<p>If monitoring indicates that mine-induced subsidence levels exceed 20 millimetres, a review will be undertaken to identify any potential impacts to terrestrial ecology.</p>
<p>Aquatic Ecology</p>
<p>If monitoring indicates that mine-induced subsidence levels exceed 20 millimetres, a review will be undertaken to identify any potential impacts to aquatic ecology.</p>
<p>Aboriginal Heritage</p>
<p>Activities will continue to be managed in accordance with the Colliery's Aboriginal Cultural Heritage Management plan (ACHMP).</p>
<p>If monitoring indicates that mine-induced subsidence levels exceed 20 millimetres, a review will be undertaken to identify any potential impacts to cultural heritage in consultation with BCD.</p>
<p>All relevant Mannering staff and contractors will be made aware of their statutory obligations for Aboriginal cultural heritage under the NP&W Act as part of the existing mine induction process.</p>
<p>An Aboriginal Cultural Heritage Management Plan (ACHMP) will be developed and implemented for the identified Aboriginal heritage items within the Development Site in consultation with the relevant Aboriginal stakeholders. If additional sites are identified they will be assessed for cultural significance and be incorporated into the ACHMP.</p>
<p>In the unlikely event that skeletal remains are identified, the NSW Police Coroner will be contacted to determine if the material is of Aboriginal origin. If determined to be Aboriginal, contact will be made with the BCD, a suitably qualified archaeologist and representatives of the relevant Aboriginal stakeholder groups to determine an action plan for the management of the skeletal remains and formulate management recommendations if required.</p>
<p>European Heritage</p>
<p>If monitoring indicates that mine-induced subsidence levels exceed 20 millimetres, a review will be undertaken to identify any potential impacts to non-Indigenous heritage.</p>
<p>All relevant Mannering staff and contractors will be made aware of their statutory obligations for European cultural heritage under the Heritage Act 1988 as part of the existing mine induction process.</p>
<p>If, during the course of development works, significant non-Indigenous cultural heritage material is uncovered within the Development Site, the Heritage Branch of BCD will be notified and any required monitoring or management strategies instigated.</p>
<p>Air Quality</p>
<p>A review of dust management strategies and mitigation measures will be undertaken against the best practice dust mitigation measures identified in the NSW Coal Mining Benchmarking Study International Best Practice Measures to Prevent and/or Minimise Emissions of Particulate Matter from Coal Mining (Katestone Environmental Pty Ltd 2011), which was prepared for BCD. The review will identify any additional dust management practices that are reasonable and feasible for implementation at Mannering Colliery and will be undertaken generally in accordance with any requirements of a pollution reduction program that may be imposed by the EPA on the Manning Colliery EPL in the future.</p>
<p>Traffic</p>

Great Southern Energy Pty Limited will upgrade the Ruttleys Road □Mannering Colliery Access Road intersection to improve safety and operational efficiency.
Socio-Economic
Great Southern Energy Pty Limited is committed to on-going community consultation and will continue to engage the community for the purposes of providing information relating to on-going operations and the development of the Colliery.
Rehabilitation
Rehabilitation will be undertaken in accordance with the Colliery's Rehabilitation Management Plan, which will be updated to include any changes as a result of any modification.
The Rehabilitation Management Plan will be amended to reflect any modification and will include integrated rehabilitation and environmental management.
Monitoring
The Environmental Monitoring Program will be reviewed and updated, as required, to incorporate the commitments made in the Environmental Assessment and any additional consent conditions.
Commitments for Modification 5
Great Southern Energy Pty Limited will undertake environmental management incorporating the requirements of any modification and in accordance with the existing environmental management processes of the various approvals, licences and management plans that apply to the development.
Great Southern Energy Pty Limited will apply to the EPA for a variation to EPL No. □9□ to reflect the increase in the rate of ROM coal throughput from □3 to 2.□Mtpa.
Great Southern Energy Pty Limited will commission a suitably □ualified geotechnical engineer to undertake detailed geotechnical assessments as part of the Colliery's detailed mine plan design process.
Great Southern Energy Pty Limited will decommission the surface rotary breaker to reduce noise emissions.

APPENDIX 4: NOISE ASSESSMENT LOCATIONS

**Private Property Surrounding Mannering
(Location of ID numbers are shown on following figure)**

ID	Owner	ID	Owner	ID	Owner
1	Energy Australia	27	H Gleeson	53	H & □ Beukers
2	Alcevski Investments	28	C Stead & M Garner	54	A Taylor:Stewart
3	Eaton & Sons Pty Ltd	29	A O'Keefe	55	G Kettles
4	O & □ di Rocco	30	P Groen	56	R & E Brokenshire
5	A & M Keighran	31	M Parkin	57	B & S Fowler
6	Swan HydroPonics Pty Ltd	32	I Maclaren	58	B Sneddon
7	R Druitt	33	P Kran□	59	□ & P Hanson
8	Mac□uarie Shores Home Village	34	T & V Wilding	60	L Crook & L Kelly
9	L F □eans	35	G Williams	61	P & G Becker
10	L & □ □eans	36	P & C Byrnes	62	B Clover & R Alaban
11	L & □ □eans	37	G Holmes	63	T & O Becker
12	L & □ □eans	38	R & B Croucher	64	R Harris & D Kingsford
13	L & □ □eans	39	R & C Calvert	65	N Singleton
14	L & □ □eans	40	T & D Stol□	66	M Smith
15	L & □ □eans	41	A & S Whitbread	67	D & B □ohnston
16	L & □ □eans	42	B Kelly	68	R & B Amos
17	L & □ □eans	43	L Preston	69	H & C Strand
18	L & □ □eans	44	G Bain	70	PhystonPty Ltd
19	L & □ □eans	45	C Clarke	71	R Howland
20	E & K Knight	46	W Carpenter	72	R & D Shannon
21	□onita Homes Pty Ltd	47	S Mackay	73	P & B Williams
22	W & D Buchmasser	48	R Allen	74	P Batten
23	P McKee	49	S □opp	75	G & A Dyer
24	□Farrell	50	P & M Davie	76	S Harrison & N Robertson
25	P Kretchmer & E Castle	51	D Olsen		
26	A Mearns	52	D Poulson & K Toope		



Source: EMM (2019); NearMap (2019); DFSI (2017)

- KEY**
- Manning Colliery project approval boundary
 - Alignment of overland conveyor to VPPS
 - Main road
 - Local road
 - Watercourse/drainage line
 - Waterbody
 - Cadastral boundary
 - Assessment location
 - Attended monitoring location
 - ▲ Continuous monitoring location
 - ▲ Meteorological station

Noise monitoring and assessment locations

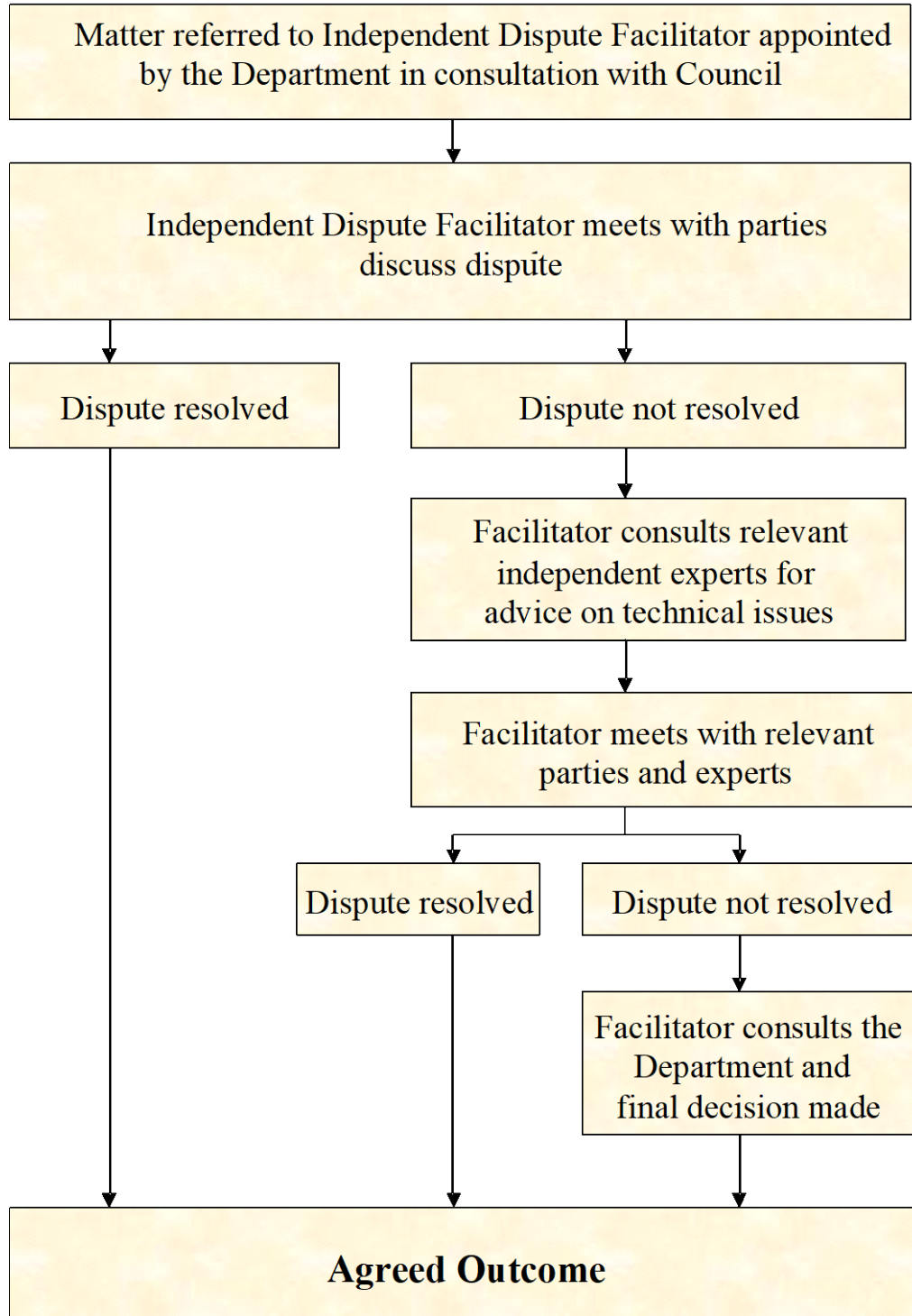
Manning Colliery Noise monitoring program
Figure 2



Figure 5: Noise monitoring locations

APPENDIX 5: INDEPENDENT DISPUTE RESOLUTION

**Independent Dispute Resolution Process
(Indicative only)**





TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendix 2: Environment Protection Licence 191

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 72 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

Environment Protection Licence

Licence - 191

Licence Details

Number:	191
Anniversary Date:	01-January

Licensee

DELTA POWER & ENERGY (CHAIN VALLEY) PTY LTD
 PO BOX 7115
 MANNERING PARK NSW 2259

Premises

MANNERING COLLIERY
 RUTLEYS ROAD
 DOYALSON NSW 2262

Scheduled Activity

Coal works
 Crushing, grinding or separating
 Mining for coal

Fee Based Activity

Scale

Coal works	> 2000000-5000000 T annual handling capacity
Crushing, grinding or separating	> 2000000 T annual processing capacity
Mining for coal	> 500000-2000000 T annual production capacity

Contact Us

NSW EPA
 6 Parramatta Square
 10 Darcy Street
 PARRAMATTA NSW 2150
 Phone: 131 555
 Email: info@epa.nsw.gov.au

Locked Bag 5022
 PARRAMATTA NSW 2124



Environment Protection Licence

Licence - 191

INFORMATION ABOUT THIS LICENCE	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
1 ADMINISTRATIVE CONDITIONS	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Other activities	7
A4 Information supplied to the EPA	7
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND	7
P1 Location of monitoring/discharge points and areas	7
3 LIMIT CONDITIONS	8
L1 Pollution of waters	8
L2 Concentration limits	8
L3 Volume and mass limits	9
L4 Waste	9
L5 Noise limits	10
4 OPERATING CONDITIONS	10
O1 Activities must be carried out in a competent manner	10
O2 Maintenance of plant and equipment	11
O3 Dust	11
O4 Emergency response	11
O5 Processes and management	11
O6 Other operating conditions	12
5 MONITORING AND RECORDING CONDITIONS	12
M1 Monitoring records	12
M2 Requirement to monitor concentration of pollutants discharged	12
M3 Testing methods - concentration limits	15
M4 Weather monitoring	15
M5 Recording of pollution complaints	16



Environment Protection Licence

Licence - 191

M6	Telephone complaints line	16
M7	Requirement to monitor volume or mass	16
6	REPORTING CONDITIONS	17
R1	Annual return documents	17
R2	Notification of environmental harm	18
R3	Written report	18
7	GENERAL CONDITIONS	19
G1	Copy of licence kept at the premises or plant	19
G2	Other general conditions	19
DICTIONARY		20
	General Dictionary	20

Environment Protection Licence

Licence - 191

Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



Environment Protection Licence

Licence - 191

The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

DELTA POWER & ENERGY (CHAIN VALLEY) PTY LTD

PO BOX 7115

MANNERING PARK NSW 2259

subject to the conditions which follow.

Environment Protection Licence

Licence - 191

1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 2000000 T annual processing capacity
Mining for coal	Mining for coal	> 500000 - 2000000 T annual production capacity

A1.2 The licensee must not:

- Produce by mining activities more than 1.1 million tonnes of coal within any 12 month period.
- Undertake coal works of more than 2.1 million tonnes within any 12 month period, where ROM coal handled on the premises may be made up of coal produced by mining activities from both the Mannering Colliery (as defined in this licence) or Chain Valley Colliery (as defined in Environment Protection Licence 1770).

Note: These limits on the scale of the fee based activities are based on project Approval 06_0311 MOD5 granted under the *Environmental Planning and Assessment Act 1979* which limits extraction to 1.1 million tonnes of run of mine (ROM) coal per year and its modifications, the most recent of which is dated 5 June 2020.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
MANNERING COLLIERY
RUTLEYS ROAD
DOYALSON
NSW 2262

Environment Protection Licence

Licence - 191

PREMISES MARKED AND SHOWN AS "SURFACE PREMISES BOUNDARY" ON THE PLAN TITLED "DELTA COAL MANNERING COLLIERY EPL 191 SURFACE EXTENTS AND ENVIRONMENTAL MONITORING LOCATIONS", PREPARED BY R. TUBRIDY, DATED 1/11/2019, DRAWING NO. A1S0012_2 (EPA REF. DOC19/993639-1) AND AS IDENTIFIED IN THE SHAPEFILE PROVIDED TO THE EPA ON 16/06/2025 (EPA REF. DOC25/501180).

A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Chemical storage - general chemical storage
Chemical storage - petroleum products storage

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
3	Ambient air monitoring		Dust deposition gauge at north of the Coal Handling Plant, marked and shown as point "3" on the Plan.
4	Ambient air monitoring		Dust deposition gauge at east of the Coal Handling Plant, marked and shown as point "4" on the Plan.
5	Ambient air monitoring		Dust deposition gauge at southeast of the Coal Handling Plant, marked and shown as point "5" on the Plan.

Environment Protection Licence

Licence - 191

6	Ambient air monitoring	Dust deposition gauge at south of the Coal Handling Plant, marked and shown as point "6" on the Plan.
7	Ambient air monitoring	Dust deposition gauge at southwest of the Coal Handling Plant, marked and shown as point "7" on the Plan.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Discharge Point 1 at the Water Treatment Dams, marked and shown as point "1" on the Plan.

P1.3 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
8	Meteorological Station	Meteorological station east of the Stockpile Area, marked and shown as point "8" on the Plan.

P1.4 For the purposes of conditions P1.1, P1.2, and P1.3, the "Plan" refers to the plan titled "Delta Coal Mannerling Colliery EPL 191 Surface Extents and Environmental Monitoring Locations", prepared by R. Tubridy, dated 1/11/2019, Drawing No. A1S0012_2 (EPA REF. DOC19/993639-1).

The datum for grid references provided is the Geodetic Datum of Australia (GDA2020), MGA2020 Zone 56.

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the

Environment Protection Licence

Licence - 191

concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.
- L2.4 Water and/or Land Concentration Limits

POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- liquids discharged to water; or;
 - solids or liquids applied to the area;
- must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
1	kilolitres per day	4000

- L3.2 Exceedance of the volume limit for Point 1 is permitted only if the discharge from Point 1 occurs solely as a result of rainfall at the premises exceeding 10mm during the 24 hours immediately prior to the commencement of discharge

L4 Waste

- L4.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled

Environment Protection Licence

Licence - 191

“Description” in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Waste	Any other waste received on the premises for storage, treatment, processing, sorting or disposal and which receipt is not a scheduled activity under Schedule 1 of the Act, as in force from time to time.		
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the Protection of the Environment Operations (Waste) Regulation 2014.	As specified in each particular resource recovery exemption	N/A

L4.2 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L4.3 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence.

L5 Noise limits

Note: Noise limits are not specified as a condition of this licence. Noise limits are prescribed with the conditions of Project Approval 06_0311 granted under the *Environmental Planning and Assessment Act 1979*. Under the *Environmental Planning and Assessment Act 1979* the Department of Planning is the appropriate authority in respect of the administration and regulation of the Project Approval.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.
This includes:

Environment Protection Licence

Licence - 191

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
 - a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.3 All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.4 The tailgates of all haulage trucks leaving the premises must be securely fixed prior to loading or immediately after unloading to prevent loss of materials.
- O3.5 Coal stockpiles must be maintained in a condition that will minimise the generation and emission of dust on the premises.

O4 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises in accordance with the requirements in Part 5.7A of the Act and Chapter 4 of the Protection of the Environment Operations (General) Regulation 2022.

O5 Processes and management

- O5.1 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.
- O5.2 Bunds must:
 - a) have walls and floors constructed of impervious materials;
 - b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
 - c) have floors graded to a collection sump; and

Environment Protection Licence

Licence - 191

d) not have a drain valve incorporated in the bund structure,

or be constructed and operated in a manner that achieves the same environmental outcome.

O6 Other operating conditions

- O6.1 The licensee must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the licensee must:
- (a) Ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle or container onto a public road.
 - (b) The licensee must have in place and implement procedures to ensure that vehicles and containers exiting the premises are in a condition to ensure that materials are not tracked, thrown, blown, fall or cast onto a public road.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Air Monitoring Requirements

POINT 3,4,5,6,7

Environment Protection Licence

Licence - 191

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

M2.3 Water and/ or Land Monitoring Requirements

POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Aluminium (total)	micrograms per litre	Monthly during discharge	Grab sample
Antimony	micrograms per litre	Monthly during discharge	Grab sample
Arsenic (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Arsenic (total)	micrograms per litre	Monthly during discharge	Grab sample
Barium	micrograms per litre	Monthly during discharge	Grab sample
Beryllium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Beryllium (total)	micrograms per litre	Monthly during discharge	Grab sample
Boron	micrograms per litre	Monthly during discharge	Grab sample
Cadmium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Cadmium (total)	micrograms per litre	Monthly during discharge	Grab sample
Calcium	micrograms per litre	Monthly during discharge	Grab sample
Chromium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Chromium (total)	micrograms per litre	Monthly during discharge	Grab sample
Cobalt (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Cobalt (total)	micrograms per litre	Monthly during discharge	Grab sample
Conductivity	microsiemens per centimetre	Weekly during any discharge	Grab sample
Copper (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Copper (total)	micrograms per litre	Monthly during discharge	Grab sample
Iron	micrograms per litre	Monthly during discharge	Grab sample

Environment Protection Licence

Licence - 191

Lead (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Lead (total)	micrograms per litre	Monthly during discharge	Grab sample
Lithium	micrograms per litre	Monthly during discharge	Grab sample
Magnesium	micrograms per litre	Monthly during discharge	Grab sample
Manganese (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Mercury (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Mercury (total)	micrograms per litre	Monthly during discharge	Grab sample
Molybdenum (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Molybdenum (total)	micrograms per litre	Monthly during discharge	Grab sample
Nickel (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Nickel (total)	micrograms per litre	Monthly during discharge	Grab sample
Nitrogen (ammonia)	micrograms per litre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Weekly during any discharge	Grab sample
pH	pH	Weekly during any discharge	Grab sample
Phosphorus	micrograms per litre	Monthly during discharge	Grab sample
Potassium	micrograms per litre	Monthly during discharge	Grab sample
Selenium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Selenium (total)	micrograms per litre	Monthly during discharge	Grab sample
Silica	micrograms per litre	Monthly during discharge	Grab sample
Silver (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Silver (total)	micrograms per litre	Monthly during discharge	Grab sample
Sulfur	micrograms per litre	Monthly during discharge	Grab sample
Tin	micrograms per litre	Monthly during discharge	Grab sample
Titanium	micrograms per litre	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Weekly during any discharge	Grab sample
Vanadium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Vanadium (total)	micrograms per litre	Monthly during discharge	Grab sample

Environment Protection Licence

Licence - 191

Zinc (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Zinc (total)	micrograms per litre	Monthly during discharge	Grab sample

M3 Testing methods - concentration limits

- M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
 - if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
 - if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2022* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

- M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Weather monitoring

- M4.1 The licensee may use the meteorological station established at Vales Point Power Station (as defined in Environment Protection Licence 761) provided the licensee has authority from Sunset Power International Pty Ltd to access data from the Vales Point Power Station at all times. However, if this station is not available at any time then condition M4.2 applies.
- M4.2 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

POINT 8

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Rainfall	AM-4	millimetres	24 hours	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	1 hour	Continuous

Environment Protection Licence

Licence - 191

M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- the date and time of the complaint;
 - the method by which the complaint was made;
 - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M6 Telephone complaints line

- M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.
- M6.4 The licensee must nominate a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including a telephone number, must be current at all times.

M7 Requirement to monitor volume or mass

- M7.1 For each discharge point or utilisation area specified below, the licensee must monitor:
- the volume of liquids discharged to water or applied to the area;
 - the mass of solids applied to the area;
 - the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

POINT 1

Frequency	Unit of Measure	Sampling Method
-----------	-----------------	-----------------

Environment Protection Licence

Licence - 191

Continuous during discharge

kilolitres per day

In line instrumentation

6 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

Environment Protection Licence

Licence - 191

- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
 - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

Environment Protection Licence

Licence - 191

7 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2 Other general conditions

G2.1 Completed Programs

Program	Description	Completed Date
PRP 1 - Assessment of Potential Impacts of Metals	The licensee must conduct an assessment of metals detected in wastewater discharges from the mine in accordance with the ANZECC water quality guidelines.. To obtain a greater understanding of the type and concentration of metals discharged in mine water and entering the receiving waters. To limit the concentration of metals discharged in mine water within ANZECC guidelines.	26-June-2013
Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	19-September-2012
Coal Handling and Preparation Plant Commissioning Water Quality Monitoring Study	CHPP commissioning water quality monitoring study	12-October-2016

Environment Protection Licence

Licence - 191

Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

Environment Protection Licence

Licence - 191

flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

Environment Protection Licence

Licence - 191

TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 06-April-2000

Environment Protection Licence

Licence - 191

End Notes

- 1 Licence varied by notice V/M upgrade, issued on 10-Jul-2000, which came into effect on 10-Jul-2000.
- 2 Licence varied by notice 1005801, issued on 13-Aug-2001, which came into effect on 07-Sep-2001.
- 3 Licence varied by Change of contact details, issued on 16-Apr-2002, which came into effect on 16-Apr-2002.
- 4 Licence transferred through application 141582, approved on 21-Nov-2002, which came into effect on 07-Aug-2002.
- 5 Licence varied by notice 1024680, issued on 04-Feb-2003, which came into effect on 06-Feb-2003.
- 6 Licence varied by notice 1043601, issued on 14-Jan-2005, which came into effect on 08-Feb-2005.
- 7 Licence varied by notice 1055208, issued on 01-Mar-2006, which came into effect on 26-Mar-2006.
- 8 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 9 Licence varied by notice 1105215, issued on 23-Feb-2011, which came into effect on 23-Feb-2011.
- 10 Licence varied by notice 1502466 issued on 21-Dec-2011
- 11 Licence transferred through application 1517779 approved on 29-Oct-2013 , which came into effect on 17-Oct-2013
- 12 Licence varied by notice 1527523 issued on 13-May-2015
- 13 Licence varied by notice 1551540 issued on 12-May-2017
- 14 Licence transferred through application 1578020 approved on 01-Apr-2019 , which came into effect on 01-Apr-2019
- 15 Licence varied by notice 1587330 issued on 25-Nov-2019
- 16 Licence varied by notice 1606232 issued on 09-Apr-2021
- 17 Licence varied by notice 1608120 issued on 14-Apr-2021
- 18 Licence varied by notice 1628721 issued on 16-Jun-2023
- 19 Licence format updated on 09-Apr-2025



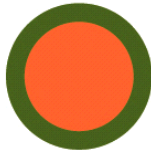
TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendix 3: Weed Action Plan

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 73 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED



total earth care



Weed Action Plan

Chain Valley Colliery, Mannering Colliery and Summerland Point Ventilation Shaft

Total Earth Care Pty Ltd
January 20



total earth care

Weed Action Plan

Chain Valley Colliery, Mannering Colliery and Summerland Point Ventilation Shaft

January 20

Quality Control	© Total Earth Care Pty Ltd 2019		
Revision/Version No.	Final	Date of revision	17 January 2020
Prepared by:	G Teear		
Approved by	G Barron, W Thurston		
Prepared for:	Delta Coal		
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Table of Contents

1	INTRODUCTION	1
	1.1 Background	1
	1.2 Subject Sites and Study Area	1
	1.3 Goals and Objectives	1
	Map 1 – Chain Valley Colliery Subject Site and Management Zones, Survey Effort and Endangered Ecological Communities	2
	Map 2 – Mannering Colliery Subject Site and Management Zones, Survey Effort and Endangered Ecological Communities	3
	Map 3 – Summerland Point Ventilation Shaft Subject Site and Management Zones, Survey Effort and Endangered Ecological Communities	4
	1.4 Relevant Legislation and Strategies	5
	1.4.1 NSW Biosecurity Act 2015 – Weeds	5
	1.4.2 Australian Weeds Strategy – Weeds of National Significance (WoNS)	5
	1.4.3 NSW Biodiversity Conservation Act 2016	5
2	METHODS	7
	2.1 Desktop Research	7
	2.2 Site Survey	7
	2.3 Weed Density Mapping	7
	2.4 Priorities	7
	2.5 Limitations	7
3	RESULTS	8
4	MANAGEMENT ZONES	9
	4.1 Chain Valley Colliery	9
	4.1.1 Chain Valley Colliery – Northern Zone	11
	Map 4 - Chain Valley Colliery – Northern Zone Weed Density	12
	4.1.2 Chain Valley Colliery – Western Zone	13
	Map 5 - Chain Valley Colliery – Western Zone Weed Density	14
	4.1.3 Chain Valley Colliery – Southern Zone	15
	Map 6 - Chain Valley Colliery – Southern Zone Weed Density	16
	4.1.4 Chain Valley Colliery – Eastern Zone	17
	Map 7 - Chain Valley Colliery – Eastern Zone Weed Density	19
	4.2 Mannering Colliery	20
	4.2.1 Mannering Colliery – Northern Zone	22
	Map 8 - Mannering Colliery – Northern Zone Weed Density	24
	4.2.2 Mannering Colliery – Western Zone	25
	Map 9 - Mannering Colliery – Western Zone Weed Density	26
	4.2.3 Mannering Colliery – Southern Zone	27
	Map 10 - Mannering Colliery – Southern Zone Weed Density	28
	4.2.4 Mannering Colliery – Eastern Zone	29

Map 11 - Mannering Colliery – Eastern Zone Weed Density	30
4.3 Summerland Point Ventilation Shaft	31
Map 12 – Summerland Point Ventilation Shaft –Weed Density	34
5 WEED MANAGEMENT	35
7 MONITORING GUIDELINES	36
8 BIBLIOGRAPHY	37
Appendix A. Weed Species listed as a Biosecurity Risk	38
Appendix B. Species Specific Weeding Techniques	43

1 INTRODUCTION

1.1 Background

Total Earth Care (TEC) has been commissioned by Delta Coal to prepare this update for the Weed Action Plan for the three (3) Delta Coal sites: Chain Valley Colliery, Mannering Colliery and Summerland Point Ventilation Shaft. The site is within the Central Coast LGA (formerly Wyong LGA).

A Weed Action Plan was developed for Lake Coal in 2016 to guide weed management of the aforementioned sites in a consolidated report. The sites are now managed by Delta Coal and an updated Weed Action Plan is required to assess the current weed densities on the site and provide relevant management actions that will assist in the development of updated Biodiversity Management Plans for each site. The Weed Action Plan will guide on ground weed management and assist in tracking the progress of since the previous Weed Action Plan developed in 2016.

1.2 Subject Sites and Study Area

The “Study Area” has been defined as each of the three (3) sites: Chain Valley Colliery, Mannering Colliery and Summerland Point Ventilation Shaft. Management Zones have previously been defined for these sites. Please see the Maps 1 to 3 below which indicate the boundaries of the Project Area and the existing management zones.

All three (3) sites fall within the Local Land Services Greater Sydney Region, bordering on the Hunter Region.

1.3 Goals and Objectives





The objectives of this management program are to:

- Describe the existing flora and fauna within the subject site based on current survey effort and database searches of the subject site and surveys of the wider study area.
- Provide ground-truthed weed density maps, highlighting priority weeds under the *NSW Biosecurity Act 2015*.
- Report any threats to Endangered Ecological Communities.
- Provide a program for ongoing weed management and/or eradication.



Title: Chain Valley Colliery:
Subject Site & Survey Effort

Map No: 1
Site: Chain Valley Colliery
Client: Delta Coal
Date: November 2019
Project No: 11483
Author: G Barron

Legend

-  Management Zones
-  Road
-  Creek
-  Survey Effort

EEC under BC Act 2016

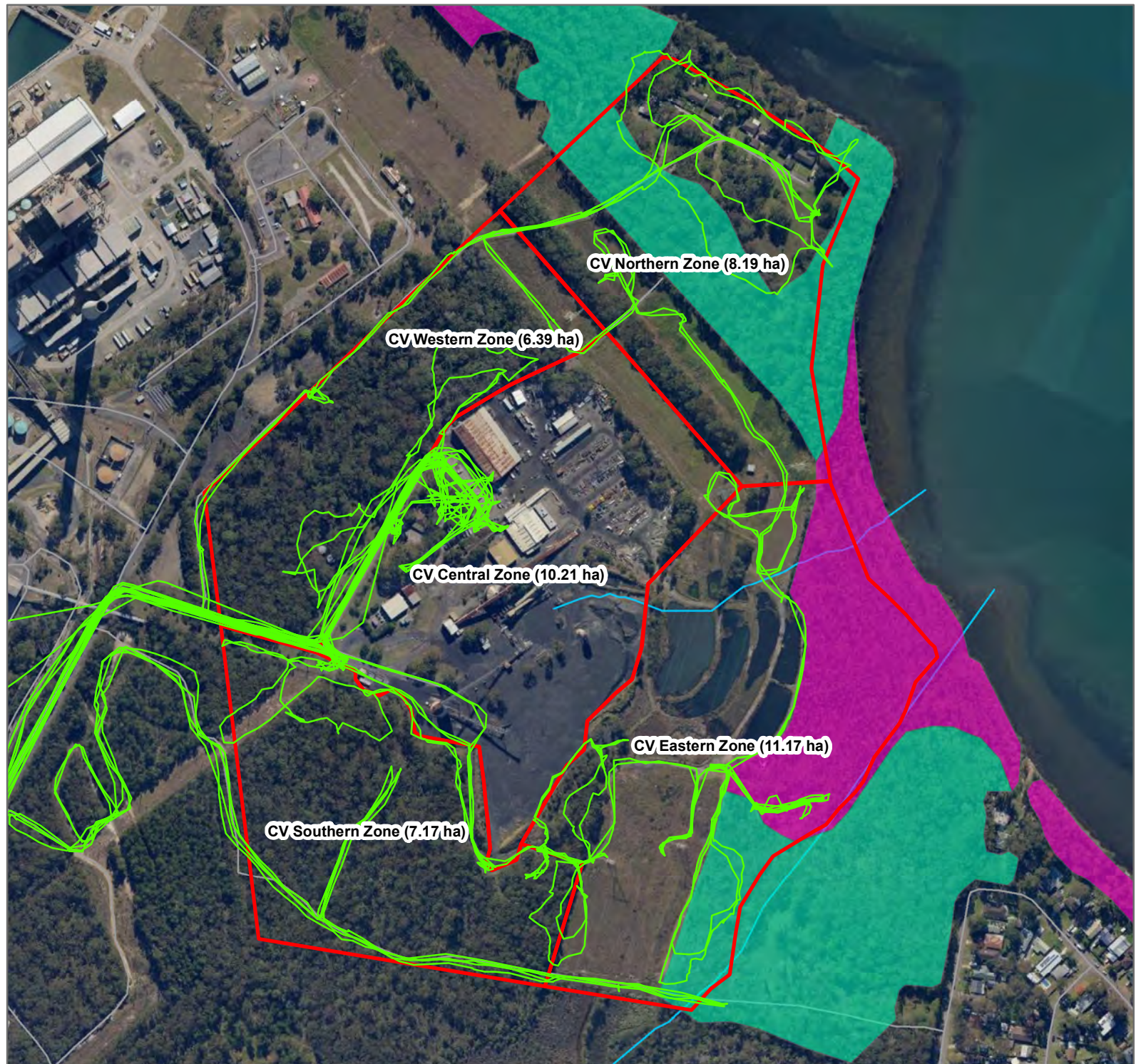
-  Swamp Oak Floodplain Forest
-  Swamp Sclerophyll Forest on Coastal Floodplains EEC



Data Source:
Total Earth Care
Nearmap
Wyong ELA 2016 v2



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Title: Mannering Colliery:
Subject Site & Survey Effort

Map No: 2

Site: Mannering Colliery





Client: Delta Coal

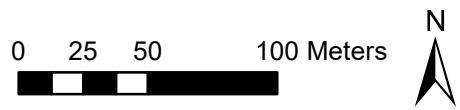
Date: November 2019

Project No: 11483

Author: G Barron

Legend

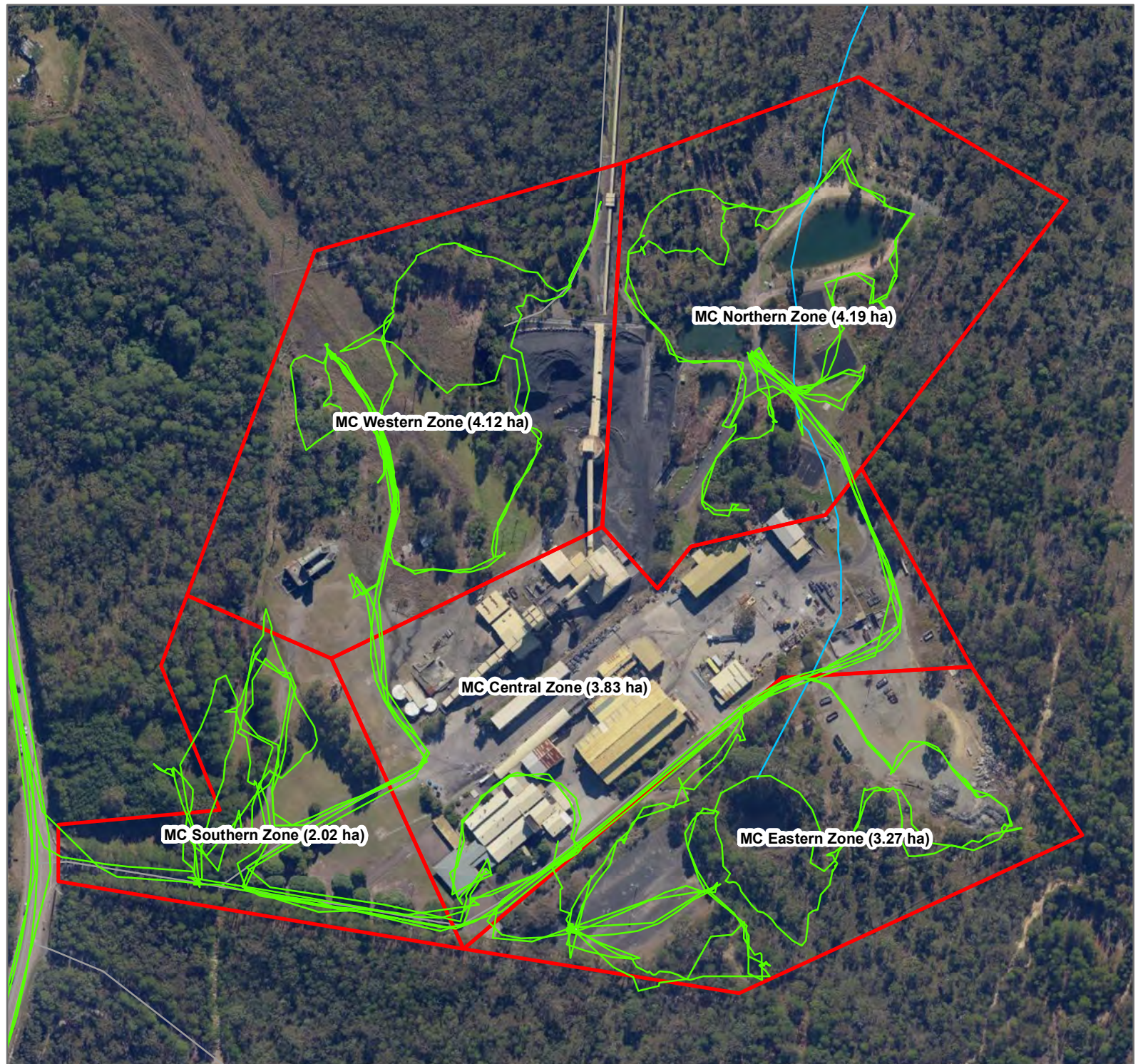
-  Management Zones
-  Road
-  Creek
-  Survey Effort



Data Source:
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Nearmap



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Title: Summerland Point Ventilation Shaft: Subject Site, EECs & Survey Effort

Map No: 3

Site: Summerland Point Ventilation Shaft


Client: Delta Coal

Date: November 2019

Project No: 11483


Author: G Barron

Legend


 Summerland Point


 Road

 Creek

 Survey Effort

EEC under BC Act 2016

 Subtropical Coastal Floodplain Forest of the New South Wales North Coast Bioregion

 Swamp Sclerophyll Forest on Coastal Floodplains EEC

0 25 50 100 Meters

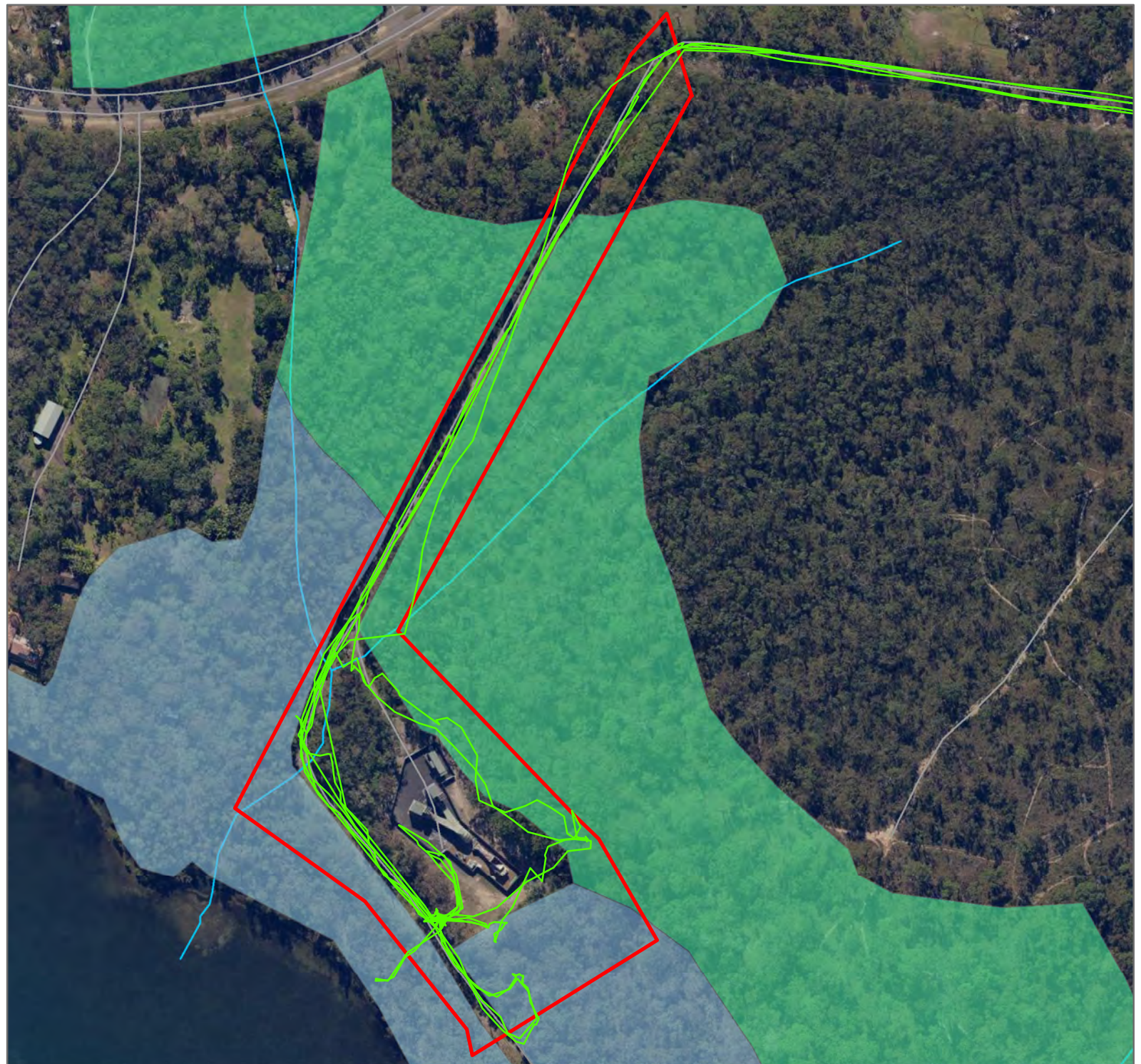


Data Source:
Total Earth Care
SIX Maps
Wyong ELA 2016 v2



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1.4 Relevant Legislation and Strategies

This Weed Action Plan will be written in accordance with:

- 1 Commonwealth laws including:
 - a. *Environment Protection and Biodiversity Conservation Act 1999*
- 2 NSW laws including:
 - a. *Biodiversity Conservation Act 2016*
 - b. *Biosecurity Act 2015*
- 3 Local laws LGA:
 - a. *Wyong Local Environment Plan 2013*
 - b. *Wyong Development Control Plan 2013*
- 4 Weed Strategies
 - a. *Australian Weeds Strategy 2017-2027*
 - b. *Greater Sydney Regional Strategic Management Plan*

1.4.1 NSW Biosecurity Act 2015 – Weeds

The NSW *Biosecurity Act 2015*, repealed the NSW *Noxious Weeds Act 1993* on the 1st of July 2017.

The purpose of the NSW *Biosecurity Act 2015* is to provide framework for risk-based prevention, elimination and minimisation of biosecurity risks. These include pests, diseases, contaminants, non-indigenous animals, bees, weeds and other biosecurity matter. One of the main objectives of the *Biosecurity Act 2015* is to promote biosecurity issues as a shared responsibility between government, industry, and communities, i.e. private and public land managers have the same obligations under the Act. Local Council is the control authority who enforces this Act. A State Weeds Committee has been established, as well as eleven (11) Regional Weeds Committees who will provide guidance and facilitate community and stake holder input into weed management.

Under the *Biosecurity Act 2015*, the definition of a weed is a plant that is a pest, and the definition of a pest is a plant or animal (other than a human) that has an adverse effect on, or is suspected of having an adverse effect on, the environment, the economy or the community.

Schedule 1 describes the special provisions relating to weeds. Under this Schedule, land occupiers have a duty to:

- control weeds on roads which bound their occupied land;
- control aquatic weeds along a watercourse, river, or inland water which bound their occupied land; and
- control weeds on land extended from their occupied land if that land is an irrigation area forming any part of a public road, public reserve or public channel, or watercourse, river or inland water.

Regional Strategic Weed Management Plans have been developed which describe the land occupier's expectations for managing weeds and form the basis for an enforceable general biosecurity duty. The three (3) Delta Coal sites fall within the Greater Sydney Local Land Services area, therefore the *Greater Sydney Regional Strategic Management Plan* applies to these sites.

1.4.2 Australian Weeds Strategy – Weeds of National Significance (WoNS)

Australian Weeds Strategy provides a national framework for addressing weed issues. It lists thirty-two (32) weed species or genera that are required to be managed under state legislation. These are Weeds of National Significance (WoNS). Five (5) of these have been identified on site and are listed in Section 3 of this management plan.

1.4.3 NSW Biodiversity Conservation Act 2016

The NSW *Biodiversity Conservation Act 2016* (BC Act), with associated regulations and maps, repealed the *Threatened Species Conservation Act 1995* on the 25th of August 2017. The BC Act is now the key piece of legislation protecting threatened species, populations and ecological communities within NSW.

There are a number of Endangered Ecological Communities (EEC) mapped on the Delta Coal sites (ELA 2016). These include;

- *Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions;*
- *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions;* and

- *Subtropical Coastal Floodplain Forest of the New South Wales North Coast Bioregion.*

Refer to Maps 1, 2 and 3 for mapped EECs. The Mannering Colliery does not contain any EECs.

One aim of the BC Act is to eliminate or manage certain Key Threatening Processes (KTPs) that threaten the survival or evolutionary development of threatened species, populations and ecological communities.

KTPs listed by the BC Act are identified as having significant impacts on the conservation of native flora and fauna. There are currently thirty-seven (37) KTPs listed under the BC Act including:

- i. Invasion and establishment of exotic vines and scramblers.
- ii. Invasion, establishment and spread of *Lantana camara*.
- iii. Invasion of native plant communities by *Chrysanthemoides monilifera* (Bitou Bush and Boneseed).
- iv. Invasion of native plant communities by exotic perennial grasses.
- v. Loss and degradation of native plant and animal habitat by invasion of escaped garden plants, including aquatic plants.

2 METHODS

2.1 Desktop Research

A preliminary desktop study was conducted to assess the previously mapped weed locations (Kleinfelder 2016) and existing plant community types using the Wyong ELA 2016 PCT (ELA, 2016) mapping.

2.2 Site Survey

A site survey was conducted over two (2) days on the 15th and 16th October 2019. Weather conditions were clear with maximum temperatures of approximately 25°C on the 15th and 24°C on the 16th. See Maps 1, 2 and 3 for survey effort.

A general weed survey was conducted using random meanders. Edges of bushland, creek lines, disturbed areas and any other areas likely to contain weeds were targeted as were areas where weeds were previously identified in the 2016 Weed Action Plan.

- The identification of native and exotic plant species according to *Field Guide to the Native Plants of Sydney* (Robinson, 2003), *Flora of NSW, Volumes 1-4* (Harden 1992, 1993, 2000, 2002), *Weeds of the south-east: an identification guide for Australia* (Richardson et al, 2006) and PlantNET (2019), with reference to recent taxonomic changes;

Any “weed infestations” found during survey were recorded using a hand held GPS. Weed infestations are defined as:

- Areas where weeds make up >80% percentage foliage cover.
- Weeds of national significance
- Priority weeds and other weeds of regional concern as listed in the Greater Sydney Regional Strategic Weed Management Plan

Any WoNS and/or any priority weeds for the Greater Sydney Region which were identified on site, are listed in Appendix A which includes their biosecurity status under the *Biosecurity Act 2015*.

2.3 Weed Density Mapping

Weed density maps were developed for each zone. All weeds present were considered when determining the weed densities for each area.

GPS locations were mapped to provide clear locations for WoNS, significant weed infestation and Priority Weeds.

2.4 Priorities

The priorities of targeted weed work detailed in Section 4 - Management Zones, were determined by the species listing and the landholder’s obligations under the *Biosecurity Act 2015* and the Greater Sydney Regional Strategic Weed Management Plan. Species listed as WoNS are considered a high priority. Other weeds that were deemed to have the potential to significantly impact biodiversity were also included as Priority Weeds.

Priority areas were determined by the resilience and condition of existing bushland and the location of weed infestations. Infestation or small outbreaks of weeds in high quality, undisturbed or resilient bushland are considered a high priority to conserve the existing biodiversity values and to prevent further spread which could become more costly to address in the future. Infestations along property boundaries, creek lines and waterways are considered high priority as weeds are more susceptible to spread onto neighbouring properties downstream or across boundary edges.

2.5 Limitations

The diurnal field survey was conducted over two (2) days during October 2019. Random meanders were conducted across the site and targeted searches for weeds along creek line, bushland edges and disturbed areas where weeds are likely to occur. Some areas were not searched due to access issues and time constraints. The central zones mainly consist of infrastructure and planted species and were not surveyed for this report.

When reviewing maps please note that the hand-held GPS equipment used is only accurate to 3 metres.

3 RESULTS

The weed survey identified thirty-six (36) weed species under the *Biosecurity Act 2015*. These are listed in Appendix A along with the land holder's obligations under the Act. Of these, five (5) are WoNS. These are:

- Asparagus Fern (*Asparagus aethiopicus*)
- Bitou Bush (*Chrysanthemoides monilifera subsp rotundata*)
- Lantana (*Lantana camara*)
- Blackberry (*Rubus fruticosus* aggregate)
- Fireweed (*Senecio madagascariensis*)

Bitou Bush, Lantana and Fireweed are also listed as State Priority Weeds. Six (6) weeds are listed as Priority Weeds under the Greater Sydney Regional Strategic Weed Management Plan. These include Giant Reed (*Arundo donax*), Pampas Grass (*Cortaderia jubata*) and the above mentioned WoNS.

Weeds are mostly contained to disturbed areas, bushland edges, tracks and riparian areas across all three (3) sites. There are some small outbreaks within large resilient bushland areas which have been prioritised within this Plan. Many of these have been treated as part of primary bush regeneration efforts and require follow up treatment of new shoots.

Two (2) areas with two (2) to three (3) individual orchids of the genus *Microtis* were identified. One (1) area is located in the easement of the eastern zone of Chain Valley Colliery and another along the disturbed edges of the eastern zone at Mannering Colliery. These have been mapped in Map 7 and Map 11.

The current condition, locations of weed infestation and weed densities have been discussed in detail within Section 4 - Management Zones.

4 MANAGEMENT ZONES

TEC have based the management zones on those created for the 2016 Weed Action Plan (Kleinfelder, 2016). The boundaries have been adjusted slightly to follow existing structural boundaries such as roads, tracks, clearings, easements and fences to allow for clearer delineation of management zones during on ground works.

The Central Zone of both the Chain Valley Colliery and Mannering Park Colliery are entirely disturbed and contain the site infrastructure. The zones are mostly void of native vegetation except for remnant canopy trees and planted native and ornamental species, as such these zones were not included in the weed survey.

4.1 Chain Valley Colliery

The Chain Valley Colliery site is made up of the following EECs:

- *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions;* and
- *Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*

See Map 1 for EEC locations.

Chain Valley Colliery contains high quality resilient bushland in most zones. Managing weed outbreaks in these areas is a high priority to prevent degradation and further encroachment on bushland areas. Most weed outbreaks occur in the disturbed areas including cleared easements, easement edges, along tracks, creek lines and dam edges. These outbreaks are small and in their early stages of growth and therefore should be targeted before they progress any further. Bush regeneration efforts targeting Lantana and Pampas Grass (*Cortaderia selloana*) are evident throughout the site but now require follow up treatment. The following maps and tables provide further details on each management zone including priority weeds and management issues.



Figure 1. Eastern Zone of Chain Valley Colliery along creek line.



Figure 2. Treated Lantana and Blackberry in Northern Zone of Chain Valley Colliery near cottages.



Figure 3. Fishbone Fern and Crofton Weed in Western Zone Area B of Chain Valley Colliery along drainage area.

4.1.1 Chain Valley Colliery – Northern Zone

Table 1. Chain Valley Colliery – Northern Zone Area Descriptions

Description	<p>This zone is approximately 8.2 ha and includes cleared powerline easements and modified areas surrounding the cottages and bushland.</p> <p>Area A – <5% weed cover</p> <p>The most resilient area of the zone with low weed densities. Some weed encroachments on the edges of the bushland. A small area of treated Lantana and Blackberry is located to the south-east of this zone.</p> <p>Area B – 5-25% weed cover</p> <p>Highest weed densities are found along the edge of the bushland and species present include Blackberry, Asparagus Fern, Fishbone Fern (<i>Nephrolepis cordifolia</i>), <i>Monstera deliciosa</i> and <i>Senna pendula var. glabrata</i>.</p> <p>Area C – 25-50% weed cover</p> <p>Dense area of Blackberry, Lantana, Ochna serrulata, Wild Tobacco (<i>Solanum mauritianum</i>) and herbaceous weeds. Evidence of Blackberry and Pampas Grass being treated. Appears to have been the focus area of Bush Regeneration efforts.</p> <p>Area D – 5-25% weed cover</p> <p>Mostly ornamental exotic plant species in front of houses.</p> <p>Area E – 5-25% weed cover</p> <p>Dense patch of <i>Monstera deliciosa</i>.</p> <p>Area F – 5-25% weed cover</p> <p>Patch of Camphor Laurel (<i>Cinnamomum camphora</i>) and Coral trees (<i>Erythrina x sykesii</i>) including several saplings.</p> <p>Area G – 5-25% weed cover</p> <p>Bushland strip between powerline easements containing scattered small outbreaks of weeds including <i>Senna pendula var. glabrata</i> and Lantana.</p> <p>Area H – 5-25% weed cover</p> <p>Powerline easement with scattered Fireweed and Purple Top (<i>Verbena bonariensis</i>).</p>
Priority Weeds	Lantana, Blackberry, Pampas Grass and Asparagus Fern
Priority Areas	Area A and B has the most resilience and is connected to larger tracts of bushland. Weeds should be controlled to prevent further spread.
Key Management Issues	<ul style="list-style-type: none"> • Follow up treatment of Lantana, Blackberry, <i>Senna pendula var. glabrata</i> in Areas A and C. • Primary treatment of Asparagus Fern particularly along edges in Area B. • Primary treatment of <i>Senna pendula var. glabrata</i> and <i>Monstera deliciosa</i>, and untreated areas of Lantana and Pampas Grass.
Notes	Access to this zone via dirt road from near CVC site entry. Key required. Caution to be taken driving around cottages due to rubbish and debris hidden by long grass.

Title: Chain Valley Northern Zone
Weed Density

Map No: 4

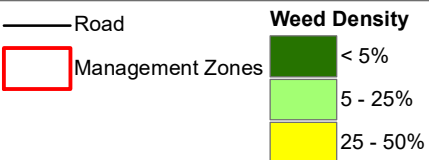
Site: Chain Valley Colliery

Client: Delta Coal













Date: November 2019

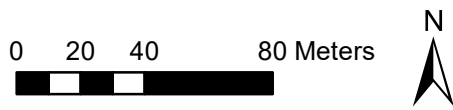
Project No: 11483

Author: G Barron



Key Points

-  Blackberry
-  Blackberry & Lantana camara - treated
-  Blackberry, Lantana camara & Pampas Grass - treated
-  Blackberry, Lantana camara, Senna pendula var. glabrata & Wild Tobacco
-  Camphor Laurel
-  Coral Tree
-  Coral Tree - treated
-  Coral Tree, Lantana camara & Senna pendula var. glabrata
-  Coral Tree, Ochna serrulata & Senna pendula var. glabrata
-  Lantana camara
-  Lantana camara & Senna pendula var. glabrata
-  Lantana camara - treated



Data Source:
Total Earth Care
Nearmap



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4.1.2 Chain Valley Colliery – Western Zone

Table 2. Chain Valley Colliery – Western Zone Area Descriptions

Description	<p>This zone is approximate 6.4 ha of highly resilient bushland with predominantly low weed densities. Evidence throughout of bush regeneration efforts.</p> <p>Area A – <5% weed cover</p> <p>Highly resilient bushland with a very low weed density. Scattered outbreaks of Blackberry and Lantana on the side of the road that runs along the north-west boundary. All identified scattered Lantana thickets in the south-east part of the area have been treated. Some juvenile Lantana coming up in these treated areas.</p> <p>Area B – 5-25% weed cover</p> <p>Damp drainage areas in some places have encourage weed growth. Lantana, Crofton Weed, Asparagus Fern, Fishbone Fern and herbaceous weed species scattered throughout this zones (see Figure 3). All identified Lantana patches have been treated. Some juvenile Lantana coming up in these treated areas. Pampas Grass and some Fishbone Fern has been treated but requiring follow up treatment.</p>
Priority Weeds	Lantana, Blackberry, Pampas Grass, Asparagus Fern and Crofton Weed.
Priority Areas	Both Area A and B. The surrounding bushland is highly resilient and further weed outbreaks should be prevented.
Key Management Issues	<ul style="list-style-type: none"> • Follow up treatment of Lantana and Pampas Grass. • Primary treatment of Crofton Weed and Fishbone Fern. • Hand weeding and spraying. • Priority zone. Edges and tracks should be monitored regularly.
Notes	Access to the track along the north-west boundary of this zone via dirt road from near CVC site entry. Key required.

Title: Chain Valley Western Zone
Weed Density

Map No: 5

Site: Chain Valley Colliery

Client: Delta Coal

Date: November 2019

Project No: 11483

Author: G Barron

— Road

Management Zones

Weed Density

< 5%

5 - 25%

25 - 50%

Key Points

- Asparagus Fern
- Blackberry & Fireweed
- Crofton Weed
- Crofton Weed & Lantana camara
- Lantana camara
- Lantana camara - treated
- Pampas Grass & Lantana camara - treated and Asparagus Fern & Crofton Weed
- Senna pendula var. glabrata

0 20 40 80 Meters



Data Source:
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Nearmap



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4.1.3 Chain Valley Colliery – Southern Zone

Table 3. Chain Valley Colliery – Southern Zone Area Descriptions

Description	<p>This zone is approximate 7.2 ha of highly resilient and mostly undisturbed bushland with predominantly low weed densities.</p> <p>Area A – 5-25% weed cover</p> <p>Scattered small outbreaks of <i>Senna pendula var. glabrata</i>, Blackberry, Bitou Bush, Ochna and Lantana, Lantana has been treated but some small shoots are coming up. Most weeds are along the track edge to the north and the eastern boundary of the bush and powerline easement.</p> <p>Area B – <5% weed cover</p> <p>Highly resilient bushland. Some <i>Pinus radiata</i> saplings coming up adjacent to the track that runs along the southern part of the area.</p> <p>Area C – 5-25% weed cover</p> <p>Powerline easement containing scattered <i>Pinus radiata</i> saplings, herbaceous weeds and Oleander.</p> <p>Area D – <5% weed cover</p> <p>Resilient bushland with scattered <i>Pinus radiata</i> saplings along easement edge.</p> <p>Area E – 5-25% weed cover</p> <p>Mostly managed lawn along driveway. Scattered <i>Pinus radiata</i> saplings, African Lovegrass (<i>Eragrostis curvula</i>) and Oleander (<i>Nerium oleander</i>) on bushland edges.</p> <p>Area F – 25-50% weed cover</p> <p>Disturbed bushland edges with scattered small outbreaks of Bitou Bush, Lantana, Pampas Grass, Banana Trees and African Love Grass. Most Pampas Grass in this area has been treated.</p>
Priority Weeds	Lantana, Pampas Grass, Bitou Bush and <i>Pinus radiata</i> saplings
Priority Areas	Area B is highly resilient and has very few weed outbreaks. All other areas of this management zone should be managed to prevent further spread of weeds into Area B.
Key Management Issues	<ul style="list-style-type: none"> • Follow up treatment of Pampas Grass • Follow up and primary treatment of Lantana. Small shoots can be hand pulled. • Primary treatment of Bitou Bush. Most can be hand pulled. • Primary treatment of <i>Pinus radiata</i> saplings particularly along the track in Area B. This is a highly resilient area and invasion of Pines in this area should be prevented. • High priority zone. Monitor tracks for any weed out breaks.
Notes	Access to the track within this zone is via a locked gate or through powerline easement.

Title: Chain Valley Southern Zone
Weed Density

Map No: 6

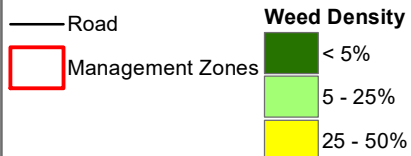
Site: Chain Valley Colliery

Client: Delta Coal

Date: November 2019

Project No: 11483

Author: G Barron



Key points

- African Lovegrass & Pampas Grass
- African Lovegrass & Pinus radiata
- Asparagus Fern & Lantana camara
- Asparagus Fern, Senna pendula var. glabrata & Bitou Bush
- Bitou Bush
- Bitou Bush & Lantana camara
- Bitou Bush & Senna pendula var. glabrata
- Bitou Bush - removed
- Lantana camara
- Lantana camara & Senna pendula var. glabrata
- Lantana camara (treated), African Lovegrass & Bitou Bush
- Lantana camara - treated
- Ochna serrulata
- Ochna serrulata & Senna pendula var. glabrata
- Pampas Grass (treated) & Lantana camara
- Pampas Grass (treated)
- Pinus radiata
- Senna pendula var. glabrata
- Senna pendula var. glabrata - removed

0 15 30 60 Meters



Data Source:
Total Earth Care
Nearmap



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4.1.4 Chain Valley Colliery – Eastern Zone

Table 4. Chain Valley Colliery – Eastern Zone Area Descriptions

<p>Description</p>	<p>This zone is approximate 11.17 ha of bushland cleared powerline easements and sediment ponds. These ponds consistently discharge across the bushland in Area H and into the lake to the north-east.</p> <p>Area A – <5% weed cover</p> <p>Small occurrences of Caster Oil and Lantana on dam walls. Scattered occurrences of <i>Senna pendula</i> var. <i>glabrata</i> and Narrow-leafed Cotton Bush (<i>Gomphocarpus fruticosus</i>) in the easements to the north.</p> <p>Area B – 5-25% weed cover</p> <p>Small amounts of scattered Whiskey Grass (<i>Andropogon virginicus</i>), Pampas Grass and Bitou Bush on easement edges and damp areas.</p> <p>Area C – <5% weed cover</p> <p>Small amounts of scattered Whiskey Grass, Pampas Grass, Bitou Bush and other herbaceous weeds on easement edges.</p> <p>Area D – 5-25% weed cover</p> <p>Encroachments of weeds from the track to the south of the area and the easement edges. Scattered small outbreaks of Asparagus Fern, <i>Senna pendula</i> var. <i>glabrata</i>, Lantana, African Love Grass, Blackberry Nightshade and Bitou Bush. A small Lantana thicket has been treated.</p> <p>Area E – 5-25% weed cover</p> <p>Dense areas of Pampas Grass in this area and across property boundary. Scattered occurrences of Crofton Weed, Lantana and Bitou Bush.</p> <p>Area F – 5-25% weed cover</p> <p>Cleared powerline easement containing scattered Whiskey Grass, Cotton Bush, Fireweed and herbaceous weeds. Small lantana thicket and Pampas Grass under powerline pylon.</p> <p>Area G – 25-50% weed cover</p> <p>Dense stand of Wild Tobacco. Asparagus Fern starting to come up. Scattered small occurrences of Bitou Bush, Lantana, Ginger Lily, Ochna, Inkweed, Crofton and <i>Senna pendula</i> var. <i>glabrata</i>. Large stands of Lantana have been treated. Coral trees, Fishbone Fern, <i>Monstera deliciosa</i>, <i>Senna pendula</i> var. <i>glabrata</i> and Ginger Lily along creek line in southern corner.</p> <p>Area H – <5% weed cover</p> <p>Parts of this area have been recently burnt and are coming up with early successional native species such as <i>Dodonaea triquetra</i>. Track edges south-east of the dam have scattered small occurrences of Bitou Bush, Asparagus Fern, Lantana, Crofton Weed and Fireweed. Some sporadic occurrences of Lantana, Bitou Bush and <i>Senna pendula</i> var. <i>glabrata</i> along the edges of the easement in the north of this area.</p>
<p>Priority Weeds</p>	<p>Lantana, Asparagus Fern, Bitou Bush, Pampas Grass and <i>Senna pendula</i> var. <i>glabrata</i>.</p>
<p>Priority Areas</p>	<p>Area G along creek line should be targeted to prevent weed propagules travelling downstream.</p> <p>Area H is mostly resilient bushland that has been mapped as two EECs (see Map 1).</p>

Key Management Issues	<ul style="list-style-type: none">• Prioritise treating weeds in the southern half of this zone.• Follow up treatment of Lantana. Small shoots can be hand pulled.• Primary treatment of Bitou Bush, Asparagus Fern, <i>Senna pendula var. glabrata</i> and Pampas Grass along track and easement edges.
Notes	Vehicle access via the tracks near the sediment ponds and via the track through the south-west corner of the zone.

Title: Chain Valley Eastern Zone
Weed Density

Map No: 7

Site: Chain Valley Colliery

Client: Delta Coal

Date: November 2019

Project No: 11483

Author: G Barron

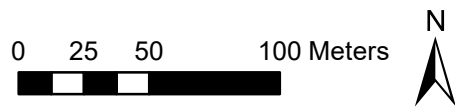
- Road
- Creek
- ▭ Management Zones

Weed Density

- < 5%
- 5 - 25%
- 25 - 50%

Key Points

- Asparagus Fern
- Asparagus Fern, Crofton Weed, Lantana Camara, Ochna serrulata, Senna pendula var. glabrata & Wild Tobacco
- Bitou Bush
- Bitou Bush & Lantana camara
- Bitou Bush & Senna pendula var. glabrata
- Fireweed, Crofton Weed & Asparagus Fern
- Orchid - Microtis sp.
- Pampas Grass
- Pampas Grass, Lantana camara & Fireweed



Data Source:
Total Earth Care
SIX Maps



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4.2 Mannering Colliery

Mannering Colliery has more disturbed areas and fewer large tracts of undisturbed bushland than the Chain Valley Colliery. However, the site is surrounded by bushland and therefore it is imperative that weeds are prevented from spreading into neighbouring resilient areas. Most outbreaks are small and should be targeted before they progress any further. Bush regeneration efforts targeting Lantana and Pampas Grass are evident throughout the site but now require follow up treatment. This site does not contain any EECs.

The following maps and tables provide further details on each management zone including priority weeds, priority areas and management issues.



Figure 4. Resilient bushland in Eastern Zone Area D of Mannering Colliery.



Figure 5. Bamboo and Crofton Weed in Western Zone Area F of Mannering Colliery.



Figure 6. Crofton Weed and *Juncus acutus* in wetland area of Northern Zone Area B of Mannering Colliery.

4.2.1 Mannering Colliery – Northern Zone

Table 5. Mannering Colliery – Northern Zone Area Descriptions

Description	<p>This zone is approximate 4.24 ha and consists of four (4) dams, access tracks and some patches of disturbed bushland. Water is discharged from the ponds across Area A, B and G.</p> <p>Area A – 5-25% weed cover</p> <p><i>Pinus radiata</i> saplings, Whiskey Grass and Fireweed along track edges. Treated <i>Acacia saligna</i>. Dense stands of <i>Juncus acutus</i> in low lying areas.</p> <p>Area B – 50-75% weed cover</p> <p>Dense area of weeds including Lantana, Bitou Bush, Crofton Weed, Pampas Grass, Senna and <i>Juncus acutus</i>. Lantana and some Pampas Grass has been treated.</p> <p>Area C – 25-50% weed cover</p> <p>High density of herbaceous weeds. <i>Acacia saligna</i> present, most of which has been treated. <i>Juncus acutus</i> present. Pampas Grass present most of which has been treated. Whiskey Grass along track edges.</p> <p>Area D – 25-50% weed cover</p> <p>High density of herbaceous weeds across disturbed area.</p> <p>Area E – 5-25% weed cover</p> <p>Hydrocotyl is scattered along the dam edges and Typha within the dam.</p> <p>Area F – 5-25% weed cover</p> <p>Typha within the dam.</p> <p>Area G – 5-25% weed cover</p> <p>The edges of Area G contains <i>Pinus radiata</i> saplings. Within the low lying damp wetland areas Large stands of Lantana and Pampas Grass have been treated.</p> <p>Area H – <5% weed cover</p> <p>Limited access due to fencing. Scattered Crofton Weed, Lantana, Bitou Bush, Camphor Laurel trees and mature and sapling <i>Pinus radiata</i>.</p> <p>A Resource Regulator identified Coolatai Grass (<i>Hyparrhenia hirta</i>) present on the western wall of the largest dam. EMM consultants confirmed the species ID.</p> <p>Area I – <5% weed cover</p> <p>Mostly disturbed and cleared areas. Herbaceous weeds, Whiskey Grass and Fireweed along track edges.</p> <p>Area J – 50-75% weed cover</p> <p>Dense and scattered stands of Bitou Bush, Lantana, Crofton and Senna. Lantana has been treated but new young shoots are coming up. Large and sapling <i>Pinus radiata</i> present. Scattered herbaceous weeds including <i>Bidens pilosa</i>, Fleabane (<i>Conyza sp.</i>) and Purple Top.</p>
Priority Weeds	Lantana, Bitou Bush, Pampas Grass, Crofton Weed, Fireweed, Senna, <i>Pinus radiata</i> , <i>Juncus acutus</i> , <i>Coolatai Grass</i> and Senna
Priority Areas	<p>Area J to follow up from primary weed treatment in this area.</p> <p>Area B to follow up primary treatment of Lantana and Pampas Grass and prevent propagules form spreading downstream.</p>

Key Management Issues	<ul style="list-style-type: none">• Follow up treatment of Lantana. Young, small shoots can be hand pulled.• Follow up treatment for Pampas Grass and Crofton Weed using cut/paint, hand removal and spraying.• Primary treatment of <i>Juncus acutus</i>• Hand pull Fireweed opportunistically.• Prioritise areas A, E, G and J.
Notes	Easy vehicle access to most areas. No obvious access to Area H due to fence.

Title: Mannering Colliery
Northern Zone Weed Density

Map No: 8

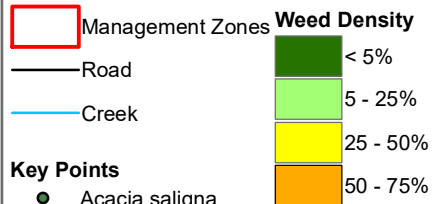
Site: Mannering Colliery

Client: Delta Coal

Date: November 2019

Project No: 11483

Author: G Barron



Key Points

- Acacia saligna
- Acacia saligna (treated) & Juncus acutus
- Acacia saligna, Bitou Bush & Crofton Weed,
- Bitou Bush
- Bitou Bush & Crofton Weed
- Bitou Bush & Lantana camara
- Bitou Bush - removed
- Coolatai Grass
- Crofton Weed & Senna pendula var. glabrata
- Crofton Weed, Juncus acutus & Pampas Grass (treated)
- Fireweed
- Juncus acutus
- Lantana camara
- Lantana camara - treated
- Pampas Grass - treated
- Pinus radiata
- Senna pendula var. glabrata



Data Source:
Total Earth Care
Nearmap



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4.2.2 Mannering Colliery – Western Zone

Table 6. Mannering Colliery – Western Zone Area Descriptions

Description	<p>This zone is approximately 4.12 ha including cleared powerline easements, a dam, and disturbed patches of remnant bushland some of which connect to greater bushland extents.</p> <p>Area A – 5-25% weed cover</p> <p>Scattered herbaceous weeds and exotic grasses. Small scattered patches of Asparagus Fern.</p> <p>Area B – 5-25% weed cover</p> <p>Powerline easements mostly consisting of exotic grasses, some Lantana patches, <i>Senna pendula var. glabrata</i> and Fireweed, particularly closer to the dam edges.</p> <p>Area C – 5-25% weed cover</p> <p>Small scattered outbreaks of Crofton Weed, Pampas Grass, Bitou Bush, Whiskey Grass and African Love Grass throughout this area.</p> <p>Area D – 25-50% weed cover</p> <p>Scattered outbreaks of Lantana, Crofton Weed, Bitou Bush, Whiskey Grass and herbaceous weeds. Lantana thickets have been treated. New shoots are coming requiring treatment.</p> <p>Area E – <5% weed cover</p> <p>Isolated patch of vegetation containing a small thicket of Lantana.</p> <p>Area F – 25-50% weed cover</p> <p>Lantana, Crofton Weed, Bitou Bush, and a large outbreak of Bamboo are dominating this area.</p> <p>Area G – 5-25% weed cover</p> <p>A fence divides this area from the rest of the western zone. A large area of Lantana is located in the northern part of this area.</p>
Priority Weeds	Asparagus Fern, Lantana, Senna, Crofton Weed, Bitou Bush and Bamboo.
Priority Areas	Areas C, F and G are a priority within this zone due to their proximity to remnant bushland and potential for WoNS and Priority Weeds under the Biosecurity Act to spread.
Key Management Issues	<ul style="list-style-type: none"> • Follow up and primary treatment of Lantana. • Primary treatment of Bamboo, Crofton Weed, Asparagus Fern. • Opportunistic hand pulling of Fireweed.
Notes	Easy vehicle access to most areas. Area G is separated from the rest of the zone by a fence so vehicle access is limited. On foot access is possible by following the fence from the main driveway entrance to the south.

Title: Mannering Colliery
Western Zone Weed Density

Map No: 9

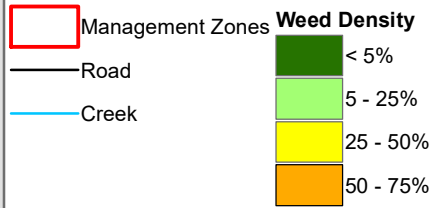
Site: Mannering Colliery

Client: Delta Coal

Date: November 2019

Project No: 11483

Author: G Barron



Key Points

- African Lovegrass & Bitou Bush
- Asparagus Fern
- Bamboo
- Bamboo, Lantana camara & Pampas Grass
- Bitou Bush
- Bitou Bush & Lantana camara
- Crofton Weed
- Crofton Weed & Pampas Grass
- Crofton Weed, Fireweed, Lantana camara & Senna pendula var. glabrata
- Crofton Weed, Lantana camara & Senna pendula var. glabrata
- Lantana camara
- Lantana camara - treated
- Pinus radiata
- Senna pendula var. glabrata



Data Source:
Total Earth Care
Nearmap



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4.2.3 Mannering Colliery – Southern Zone


Table 7. Mannering Colliery – Southern Zone Area Descriptions

Description	<p>This zone is approximately 2.02 ha. It is mostly dominated by mature <i>Pinus radiata</i> and Bamboo. This zone is a low priority due to the lack of remnant bushland and the extent of the pine forest.</p> <p>Area A – 50-75% weed cover</p> <p>Mature and sapling <i>Pinus radiata</i> lining the driveways.</p> <p>Area B – 25-50% weed cover</p> <p>High densities of mature <i>Pinus radiata</i> and Bamboo on western side of fence. Other exotic ornamental species including Oleander and Agave. Camphor Laurel trees on western side of fence. Whiskey Grass and Fireweed across managed lawn. Low priority area as dominated by <i>Pinus radiata</i>.</p> <p>Area C – 5-25% weed cover</p> <p>Mostly herbaceous weeds and exotic grasses.</p>
Priority Weeds	Bamboo, Fireweed, Camphor Laurel trees.
Priority Areas	All areas within this zone are low priority. Other zones of the Mannering Colliery are to be prioritised over this one.
Key Management Issues	<ul style="list-style-type: none"> • Primary treatment of Fireweed and <i>Pinus radiata</i> saplings in Area C
Notes	Fence divides Area B. Western side of Area B can be accessed from southern end near driveway.

Title: Mannering Colliery
Southern Zone Weed Density

Map No: 10
Site: Mannering Colliery
Client: Delta Coal
Date: November 2019
Project No: 11483
Author: G Barron


 Management Zones


 Road

 Creek

Weed Density

 < 5%

 5 - 25%

 25 - 50%

 50 - 75%

Key points

-  African Lovegrass
-  Bamboo
-  Bamboo & Coral Tree
-  Fireweed
-  Senna pendula var. glabrata



Data Source:
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Nearmap



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4.2.4 Mannering Colliery – Eastern Zone

Table 8. Mannering Colliery – Eastern Zone Area Descriptions

Description	<p>This zone is approximately 3.29 ha. This zone contains a carpark, cleared stockpile areas and dam, all bordered by bushland. The bushland is contiguous with adjacent bushland beyond the property boundary to the south. Weeds are generally confined to the bushland edges and disturbed areas.</p> <p>Area A – 5-25% weed cover</p> <p>Mostly planted ornamental exotics and some natives. Herbaceous weeds, exotic grasses and Fireweed across lawn.</p> <p>Area B – 25-50% weed cover</p> <p>Scattered herbaceous weeds, exotic and weedy grasses around edges of disturbed area.</p> <p>Area C – 5-25% weed cover</p> <p>Small area of weed encroachment including Crofton Weed. Evidence of treated Pampas Grass. Small outbreaks of Crofton Weed and Lantana present.</p> <p>Area D – <5% weed cover</p> <p>Mostly weed free bushland with some <i>Pinus radiata</i> saplings and African Lovegrass in the south-west corner of the area.</p> <p>Area E – 25-50% weed cover</p> <p>Dominated by mature and sapling <i>Pinus radiata</i>.</p>
Priority Weeds	Crofton Weed, Lantana, Pampas Grass, <i>Pinus radiata</i> and Fireweed.
Priority Areas	Area C and D. These areas are highly resilient and connected to bushland to the south.
Key Management Issues	<ul style="list-style-type: none"> • Follow up treatment of Pampas Grass. • Primary treatment of Lantana and Crofton Weed.
Notes	Site easily accessible.

Title: Mannering Colliery
Eastern Zone Weed Density

Map No: 11

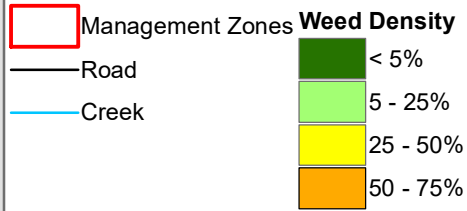
Site: Mannering Colliery

Client: Delta Coal

Date: November 2019

Project No: 11483

Author: G Barron



Key Points

-  *Acacia saligna*
-  African Lovegrass
-  African Lovegrass & *Senna pendula* var. *glabrata*
-  Bitou Bush
-  Crofton Weed
-  Fireweed
-  *Lantana camara*
-  Orchid - *Microtis* sp.
-  Pampas Grass
-  *Pinus radiata*
-  *Senna pendula* var. *glabrata*



Data Source:
Total Earth Care
Nearmap



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4.3 Summerland Point Ventilation Shaft

The Summerland Point Ventilation Shaft site is made up of the following EECs:

- *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*; and
- *Subtropical Coastal Floodplain Forest of the New South Wales North Coast Bioregions*.

See Map 3 for EEC locations.

The site contains an unsealed road that provides access to a cleared area where the ventilation shaft infrastructure sits. The areas surrounding the ventilation shaft have been cleared and contain most of the weed species identified on the site. The site is surrounded by highly resilient bushland. Areas along the unsealed road have also been subject to some weed invasion.



Figure 7. Giant Reed within bushland at the Summerland Ventilation Shaft site. .



Figure 8. Unsealed road and easement within the Summerland Ventilation Shaft site.



Figure 9. Vegetation adjacent to road on the Summerland Ventilation Shaft site.

Table 9. Summerland Point Ventilation Shaft – Area Descriptions

Description	<p>This zone is approximately 3.73 ha. This zone contains an unsealed road, a cleared area for the ventilation shaft infrastructure and remnant adjacent bushland. Weeds are generally confined to the bushland edges and disturbed areas.</p> <p>Area A – 5-25% weed cover</p> <p>Mostly bushland and road edges effected by weeds. Lantana thickets have been treated but required follow up treatment. Scattered small shoots of Lantana and Bitou Bush and herbaceous weeds.</p>
Priority Weeds	Lantana, Giant Reed, Bitou Bush
Priority areas	Entire site – small weeds outbreaks on edges of highly resilient bushland must be targeted to prevent further spread.
Key Management Issues	<ul style="list-style-type: none"> • Follow up treatment of Lantana and Bitou Bush. Small shoots can be hand pulled. • Primary treatment of a small area of Giant Reed. • Monitor bushland edges and road edges for new outbreaks.
Notes	<p>Easy vehicle access. Key required.</p> <p>Red-bellied black snake observed on site.</p>

Title: Summerland Point Ventilation Shaft Weed Density

Map No: 12


Site: Summerland Point Ventilation Shaft


Client: Delta Coal

Date: November 2019

Project No: 11483

Author: G Barron

 Summerland Point











 Road

 Creek

Weed Density

 5 - 25%

Key Points

-  Arundo donax & Lantana camara
-  Bitou Bush
-  Bitou Bush - removed
-  Crofton Weed
-  Fireweed
-  Lantana camara
-  Lantana camara & Senna pendula var. glabrata
-  Lantana camara (treated) & Senna pendula var. glabrata
-  Lantana camara - treated
-  Senna pendula var. glabrata



Data Source:
Total Earth Care
SIX Maps



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5 WEED MANAGEMENT

Species specific recommended weeding techniques including recommended herbicides and ratios are included Appendix B.

Weed recruitment and outbreaks are often triggered by disturbance or clearing. Weed management is a form of disturbance that can trigger additional recruitment of weeds as areas are cleared. Therefore secondary treatment is essential to successful weeding and bush regeneration methods.

All weeding management actions on these sites must be carried out by trained bush regenerators. Bush Regeneration contractors must comply with the *Pesticides Act 1999 and the Pesticides Regulation 2017*.

7 MONITORING GUIDELINES

Monitoring is required to assess the outcomes of the weed management work and help determine if management strategies should be amended. Monitoring should be completed every six (6) months by a qualified ecologist or bush regeneration supervisor using the following methods:

- Assessment of weed control works, native regeneration and revegetation success via permanent repeatable photographic monitoring points; and
- Mapping of weed density per zone to assess the progress of the work. The mapping included in this report can assist in the development of baseline data.

Monitoring reports must include:

- Details of the work carried out including weed management techniques and herbicide used;
- Photo monitoring points – baseline and follow up photos; and
- Recommendations for corrective measures and/or specific vegetation management required.

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Appendix A. Weed Species listed as a Biosecurity Risk

Table 10. Categories of Management under the Greater Sydney Regional Strategic Weed Management Plan 2017-2022 under the NSW Biosecurity Act 2015

Category	Management Action
Prevention (Prevent)	To prevent the weed species arriving and establishing in the Region.
Eradication (Eliminate)	To permanently remove the species and its propagules from the Region, OR to destroy infestations to reduce the extent of the weed in the region with the aim of local eradication.
Containment (Minimise)	To prevent the ongoing spread of the species in all or part of the Region.
Asset Protection (Manage)	To prevent the spread of weeds to key sites/ assets of high economic, environmental and social value, or to reduce their impact on these sites if spread.
GBD (General Biosecurity Duty)	All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable."
RRM (Regional Recommended Measure)	Specific details for each species included in table.
PoD (Prohibition on Dealings)	Must not be imported into the State or sold.
B Zone (Biosecurity Zone)	Specific details for each species included in table.
PM (Prohibited Matter)	A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries.

Table 11. Weeds under the Biosecurity Act recorded within the subject site listed as State or Regional Priority Weeds in the Greater Sydney Regional Strategic Weed Management Plan 2017-2022

Common Name	Botanical Name	WONS	State Priority Weed-Mgmt. Actions	Regional Priority Weeds-Mgmt. Actions	Other Regional Weeds-Asset/value at risk	Duties for Priority Weeds of Greater Sydney
Golden Wreath Wattle	<i>Acacia saligna</i>				Environment	
Crofton Weed	<i>Ageratina adenophora</i>				Environment, Agriculture	
Scarlet Pimpernel	<i>Anagallis arvensis</i>					
Whisky Grass	<i>Andropogon virginicus</i>				Environment	
Giant Reed	<i>Arundo donax</i>			Asset Protection		RRM; Land managers should mitigate the risk of new weeds being introduced to their land. The plant should not be bought, sold, grown, carried or released into the environment.
Asparagus Fern	<i>Asparagus aethiopicus</i>	Yes				PoD
Cobblers Pegs	<i>Bidens pilosa</i>					
Buffalo Grass	<i>Bouteloua dactyloides</i>					
Bitou Bush	<i>Chrysanthemoides monilifera subsp rotundata</i>	Yes	Containment			PoD, B Zone; The Bitou Bush Biosecurity Zone is established for all land within the State except land within 10 kilometres of the mean high water mark of the Pacific Ocean between Cape Byron in the north and Point Perpendicular in the south.
Camphor Laurel	<i>Cinnamomum camphora</i>				Environment, Agriculture, Human health	

Common Name	Botanical Name	WONS	State Priority Weed-Mgmt. Actions	Regional Priority Weeds-Mgmt. Actions	Other Regional Weeds-Asset/value at risk	Duties for Priority Weeds of Greater Sydney
Spear Thistle	<i>Cirsium vulgare</i>					
Fleabane	<i>Conyza bonariensis</i>					
Pampas Grass	<i>Cortaderia jubata</i>			Asset Protection		RRM: Land managers mitigate the risk of the plant being introduced to their land. Land managers prevent spread from their land where feasible. Land managers reduce the impact on priority assets. The plant should not be bought, sold, grown, carried or released into the environment. This Regional Recommended Measure applies to <i>Cortaderia jubata</i> (pink pampas grass)
Panic Veldgrass	<i>Ehrharta erecta</i>					
African Lovegrass	<i>Eragrostis curvula</i>				Environment	
Coral Tree, Common Coral Tree	<i>Erythrina x sykesii</i>				Environment	
Fennel	<i>Foeniculum vulgare</i>					
Narrow-Leaf Cotton Bush / Swan Plant	<i>Gomphocarpus fruticosus</i>					
Ginger Lily	<i>Hedychium gardnerianum</i>				Environment	
Pennywort	<i>Hydrocotyle bonariensis</i>					
Coolatai Grass	<i>Hyparrhenia hirta</i>				Environment, Agriculture	
Spiny Rush, Spike Rush, Sharp Rush	<i>Juncus acutus</i>				Environment	

Common Name	Botanical Name	WONS	State Priority Weed-Mgmt. Actions	Regional Priority Weeds-Mgmt. Actions	Other Regional Weeds-Asset/value at risk	Duties for Priority Weeds of Greater Sydney
Lantana	<i>Lantana camara</i>	Yes	Asset Protection			PoD
Fishbone Fern	<i>Nephrolepis cordifolia</i>				Environment	
Ochna	<i>Ochna serrulata</i>				Environment	
Bamboo, Black Bamboo, Rhizomatous Bamboo, Inkweed	<i>Phyllostachys nigra</i>				Environment	
	<i>Phytolacca octandra</i>					
Radiata Pine, Pine Wildings	<i>Pinus radiata</i>				Environment	
Plantain	<i>Plantago lanceolata</i>					
Castor Oil Plant	<i>Ricinus communis</i>					
Blackberry	<i>Rubus fruticosus aggregate</i>	Yes				PoD; All species in the Rubus fruticosus species aggregate have this requirement, except for the varieties Black Satin, Chehalem, Chester Thornless, Dirksen Thornless, Loch Ness, Murrindindi, Silvan, Smooth Stem, and Thornfree
Fireweed	<i>Senecio madagascariensis</i>	Yes	Asset Protection			PoD
Senna / Cassia	<i>Senna pendula</i>				Environment	
Paddy's Lucerne	<i>Sida rhombifolia</i>					
Tobacco Bush/ Wild Tobacco	<i>Solanum mauritianum</i>				Environment, Agriculture	

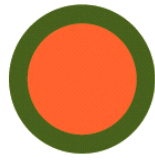
Common Name	Botanical Name	WONS	State Priority Weed-Mgmt. Actions	Regional Priority Weeds-Mgmt. Actions	Other Regional Weeds-Asset/value at risk	Duties for Priority Weeds of Greater Sydney
Blackberry Night Shade	<i>Solanum nigrum</i>					
Purpletop	<i>Verbena bonarensis</i>					

Appendix B. Species Specific Weeding Techniques

Common Name	Botanical Name	Weeding Technique	Recommended Timing for Treatment	Herbicide Application	Herbicide Group	Ratio
Golden Wreath Wattle	<i>Acacia saligna</i>	Chainsaw and paint with neat Glyphosate.	All year round	Glyphosate 360g/L	M	Neat
Crofton Weed	<i>Ageratina adenophora</i>	Hand removal, brush cut and foliar sprayed with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
Scarlet Pimpernel	<i>Anagallis arvensis</i>	Hand removal, spot spraying with Glyphosate.	All year round	Glyphosate 360g/L	M	1/100
Whisky Grass	<i>Andropogon virginicus</i>	Remove seed and crown out with knife or spot spray	Prior to flowering in March to May	Glyphosate 360g/L	M	1/100
Giant Reed	<i>Arundo donax</i>	Cut and paint with neat Glyphosate.	All year round	Glyphosate 360g/L	M	Neat
Asparagus Fern	<i>Asparagus aethiopicus</i>	Small single specimens to be crowned or Sprayed with Glyphosate/metsulfuron methyl	All year round	Glyphosate 360g/L & Metsulfuron-Methyl 600 g/kg	M & B	1/100 & 1g/10L
Cobblers Pegs	<i>Bidens pilosa</i>	Foliar spraying using Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Buffalo Grass	<i>Bouteloua dactyloides</i>	Hand removal, brush cut and foliar sprayed with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
Bitou Bush	<i>Chrysanthemoides monilifera subsp rotundata</i>	Small single specimens hand pulled or larger shrubs cut and painted with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Camphor Laurel	<i>Cinnamomum camphora</i>	Scrape and paint or drill and fill with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Spear Thistle	<i>Cirsium vulgare</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Fleabane	<i>Conyza bonariensis</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Pampas Grass	<i>Cortaderia jubata</i>	Foliar spraying or cut/paint with Glyphosate or hand removed.	Prior to flowering in March to May	Glyphosate 360g/L	M	1/100 & Neat
Panic Veldgrass	<i>Ehrharta erecta</i>	Foliar spraying with Glyphosate	All year round	Glyphosate 360g/L	M	1/100

Common Name	Botanical Name	Weeding Technique	Recommended Timing for Treatment	Herbicide Application	Herbicide Group	Ratio
African Lovegrass	<i>Eragrostis curvula</i>	Hand pulled or brush cut and foliar sprayed with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
Coral Tree, Common Coral Tree	<i>Erythrina x sykesii</i>	<80mm cut & painted; >80mm will be drilled/frilled with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Fennel	<i>Foeniculum vulgare</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Narrow-Leaf Cotton Bush / Swan Plant	<i>Gomphocarpus fruticosus</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100 & Neat
Ginger Lily	<i>Hedychium gardnerianum</i>	Physical removal. Large stands cut and painted with Glyphosate/Metsulfuron-Methyl.	All year round	Glyphosate 360g/L & Metsulfuron-Methyl 600 g/kg	M & B	Neat
Pennywort	<i>Hydrocotyle bonariensis</i>	Hand pulled or spot sprayed with Dicamba	All year round			
Coolatai Grass	<i>Hyparrhenia hirta</i>	Hand pulled or brush cut and foliar sprayed with Glyphosate. Up to three applications of Glyphosate in the same growing season will be required.	All year round	Glyphosate 360g/L	M	200ml/10l
Spiny Rush, Spike Rush, Sharp Rush	<i>Juncus acutus</i>	Juvenile single specimens to be dug out. Large infestations foliar spraying with Glyphosate.	All year round	Glyphosate 360g/L	M	1/100
Lantana	<i>Lantana camara</i>	Cut and paint, sprayed or splattered with Glyphosate. Hand pull small shoots.	All year round	Glyphosate 360g/L	M	Neat
Fishbone Fern	<i>Nephrolepis cordifolia</i>	Hand removal. Brush cut then sprayed with Glyphosate.	All year round	Glyphosate 360g/L	M	1/100
Ochna	<i>Ochna serrulata</i>	Double side scrape and paint all stems to 75% coverage.	All year round	Glyphosate 360g/L	M	Neat
Bamboo, Black Bamboo, Rhizomatous Bamboo,	<i>Phyllostachys nigra</i>	Chainsaw/cut close to base. Allow new shoots to return. Cut and paint new shoots with neat Glyphosate.	All year round	Glyphosate 360g/L	M	Neat
Inkweed	<i>Phytolacca octandra</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Radiata Pine, Pine Wildings	<i>Pinus radiata</i>	<80mm cut & painted; >80mm will be drilled/frilled with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat

Common Name	Botanical Name	Weeding Technique	Recommended Timing for Treatment	Herbicide Application	Herbicide Group	Ratio
Plantain	<i>Plantago lanceolata</i>	Foliar spraying with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
Castor Oil Plant	<i>Ricinus communis</i>	Hand pulled and cut & painted with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Blackberry	<i>Rubus fruticosus aggregate</i>	Brush cut, crowned and scraped & painted with neat Glyphosate	Between flowering and fruiting from November to January	Glyphosate 360g/L	M	Neat
Fireweed	<i>Senecio madagascariensis</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Senna / Cassia	<i>Senna pendula</i>	Small individuals hand removed, larger plants cut and painted with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Paddy's Lucerne	<i>Sida rhombifolia</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Tobacco Bush/ Wild Tobacco	<i>Solanum mauritianum</i>	Cut & paint with Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Blackberry Night Shade	<i>Solanum nigrum</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Purpletop	<i>Verbena bonarensis</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100



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Weed Action Plan – Addendum

**Chain Valley Colliery, Mannering Colliery and
Summerland Point Ventilation Shaft**

Total Earth Care Pty Ltd

August 2020



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Weed Action Plan - Addendum

Chain Valley Colliery, Mannering Colliery and Summerland Point Ventilation Shaft

August 2020

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Prepared for:	Delta Coal		
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Table of Contents

1	INTRODUCTION	1
	1.1 Background	1
	1.2 Subject Sites and Study Area	1
2	METHODS	1
	2.1 Desktop Research	1
	2.2 Site Survey	1
3	RESULTS	1
	Map 1 – Chain Valley Colliery – Foreshore Area - Subject Site, Survey Effort and Endangered Ecological Communities	2
4	MANAGEMENT ZONE	3
	4.1.1 Chain Valley Colliery – Foreshore Area	3
	Map 2 - Chain Valley Colliery – Foreshore Weed Density	5
5	MONITORING GUIDELINES	6
	Appendix A. Weed Species listed as a Biosecurity Risk	7
	Appendix B. Species Specific Weeding Techniques	10

1 INTRODUCTION

1.1 Background

Total Earth Care (TEC) previously prepared the Weed Action Plan (WAP) in January 2020 for the three (3) Delta Coal sites: Chain Valley Colliery, Mannering Colliery and Summerland Point Ventilation Shaft. This Addendum is developed to incorporate an additional area on the Lake Macquarie foreshore at the Chain Valley Colliery in the WAP. Delta Coal was granted a licence by the Minister for Water, Property & Housing on 11th June 2020 under Section 2.20 of the Crown Land Management Act 2016 for the use of the licensed area for *Environmental Rehabilitation – Vegetation Management*.

This Addendum provides guidance for managing the weeds within the license's foreshore area. Current weed densities of the licence's area are provided as well as the relevant management actions.

1.2 Subject Sites and Study Area

The "Study Area" for this Addendum includes the licensed area of Crown Land (Lot 2, DP1198253) that abuts the Chain Valley Colliery site managed by Delta Coal. This will be referred to as the "Foreshore Zone". The area included in the license extends along the foreshore of the neighbouring Delta Electricity site to the north-west, but this area was not part of the scope of this project. Please see the Map 1 below which indicates the boundaries of the Study Area. The site falls within the Local Land Services Greater Sydney Region, bordering on the Hunter Region.

2 METHODS

2.1 Desktop Research

A preliminary desktop study was conducted to assess the previously mapped weed locations (Kleinfelder 2016) and existing plant community types using the Wyong ELA 2016 PCT (ELA, 2016) mapping.

2.2 Site Survey

A site survey was conducted over one (1) day on the 4th August 2020. Weather conditions were clear with maximum temperatures of approximately 18°C. See Map 1 for survey effort. Survey methodology followed that outlined in the WAP 2020.

3 RESULTS

The weed survey identified twenty-five (25) weed species under the *Biosecurity Act 2015*. These are listed in Appendix A along with the landholder's obligations under the Act. Of these, four (4) are listed as Weeds of National Significance (WoNS). These are:

- Asparagus Fern (*Asparagus aethiopicus*);
- Bitou Bush (*Chrysanthemoides monilifera subsp rotundata*);
- Lantana (*Lantana camara*); and
- Fireweed (*Senecio madagascariensis*).

Bitou Bush, Lantana and Fireweed are also listed as State Priority Weeds. The above listed weeds are also listed as Priority Weeds under the Greater Sydney Regional Strategic Weed Management Plan.

Weeds are mostly encroaching from the lot boundaries of the land, which is managed by Delta Coal. There are some small outbreaks within large resilient bushland areas which have been prioritised within this Plan.

Approximately six (6) *Dendrobium teretifolium*, an epiphytic orchid, were recorded at the southern end of this zone attached to the trunks of Casuarinas. These have been mapped in Map 2 of this Addendum.

The current condition, locations of weed infestations and weed densities have been discussed in detail within Section 4 - Management Zones.

Title: Chain Valley Colliery:
Subject Site & Survey Effort

Map No: Addendum Map 1

Site: Chain Valley Colliery


Client: Delta Coal


Date: August 2020

Project No: J4925

Author: G Tear

Legend

 Management Zones


 Survey Track

 Road

 Creek

EEC under BC Act 2016

 Swamp Oak Floodplain Forest

 Swamp Sclerophyll Forest on
Coastal Floodplains EEC

0 30 60 120 Meters



Data Source:
Total Earth Care
Nearmap
Wyong ELA 2016 v2



total earth care

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4 MANAGEMENT ZONE

The Foreshore Area is the Crown Land foreshore of the southern end of Lake Macquarie. The Foreshore area forms an additional management zone to those outlined in the WAP 2020. A detailed description of the zone and the weed presence is included in Table 1.

4.1.1 Chain Valley Colliery – Foreshore Area

Table 1. Chain Valley Colliery – Foreshore Area Description

<p>Description</p>	<p>This zone is approximately 2.7 ha and runs along the foreshore of Lake Macquarie abutting the north-east boundary of the Chain Valley Colliery.</p> <p>Area A – <5% weed cover</p> <p>The most resilient area of this zone with low weed densities. Scattered occurrences of Bitou Bush (<i>Chrysanthemoides monilifera</i>) and Asparagus Fern (<i>Asparagus aethiopicus</i>), mostly along the lake edge. Approximately six (6) <i>Dendrobium teretifolium</i>, an epiphytic orchid, were recorded at the southern end of this zone attached to the trunks of Casuarinas.</p> <p>Area B – 50 – 75% weed cover</p> <p>Area with the highest weed density within this zone, which this mostly within the ground and shrub layer. Weed occurrences in this area mostly consist of <i>Lantana camara</i>, <i>Ochna serrulata</i>, Wild Tobacco (<i>Solanum mauritianum</i>), Bitou Bush (<i>Chrysanthemoides monilifera</i>), <i>Tradescantia fluminensis</i> and Asparagus Fern (<i>Asparagus aethiopicus</i>). The areas of densest weeds are along the western boundary of Area B.</p> <p>Area C – 50 – 75% weed cover</p> <p>Weeds are mostly within the ground layer which consists of exotic grasses, <i>Watsonia (Watsonia meriana var. bulbifera)</i>, Fireweed (<i>Senecio madagascariensis</i>), Asparagus Fern (<i>Asparagus aethiopicus</i>) and herbaceous weeds. Scattered occurrences and small patches of <i>Senna pendula var. glabrata</i>, Fishbone Fern (<i>Nephrolepis cordifolia</i>), <i>Ochna serrulata</i>, Coolatai Grass (<i>Hyparrhenia hirta</i>), <i>Lantana camara</i>, Rhodes Grass (<i>Chloris gayana</i>) and Crofton Weed (<i>Ageratina adenophora</i>) occur along the front of the cottages. Other ornamental exotic plant species are present here, most likely as plantings installed by previous residents of the cottages.</p> <p>Area D – 5-25% weed cover</p> <p>Scattered occurrences of <i>Lantana camara</i>, <i>Ochna serrulata</i>, and Asparagus Fern (<i>Asparagus aethiopicus</i>).</p>
<p>Priority Weeds</p>	<p><i>Lantana camara</i>, Bitou Bush (<i>Chrysanthemoides monilifera</i>), Fireweed (<i>Senecio madagascariensis</i>) and Asparagus Fern (<i>Asparagus aethiopicus</i>).</p>
<p>Priority Areas</p>	<p>Area A and B has the most resilience. Weeds should be controlled to prevent further spread. Working from the lake edge towards the Chain Valley Colliery lot boundaries will help in containing weeds within the Delta Coal’s land and follow best practice of working from areas of highest resilience to lowest.</p>
<p>Key Management Issues</p>	<ul style="list-style-type: none"> Targeted treatment of Bitou Bush (<i>Chrysanthemoides monilifera</i>) and Asparagus Fern (<i>Asparagus aethiopicus</i>) particularly along lake edges in Areas A and B. Primary and targeted treatment of <i>Senna pendula var. glabrata</i>, Fishbone Fern (<i>Nephrolepis cordifolia</i>), <i>Ochna serrulata</i>, Coolatai Grass (<i>Hyparrhenia hirta</i>), <i>Lantana camara</i>, Rhodes Grass (<i>Chloris gayana</i>) and Crofton Weed (<i>Ageratina adenophora</i>).
<p>Notes</p>	<p>Access to this zone via dirt road from near the Chain Valley Colliery site entry. Key required. Caution to be taken driving around cottages due to rubbish and debris hidden by long grass.</p>



Figure 1. Area C showing the small patch of Coolatai Grass present.



Figure 2. Boundary of Area B and D.

**Title: Chain Valley Colliery:
Foreshore Zone Weeds**

Map No: Addendum Map 2

Site: Chain Valley Colliery

Client: Delta Coal

Date: August 2020

Project No: J4925

Author: G Tear

Legend

- Management Zones
- Road
- Creek

Weed Density

- < 5%
- 5 - 25%
- 25 - 50%
- 50 - 75%

Key Points

- Asparagus Fern
- Asparagus Fern, Senna, Coral Trees
- Asparagus fern
- Bitou Bush
- Bitou Bush, Asparagus Fern, Senna
- Coolatai Grass
- Dendrobium teretifolium
- Easter Daisy, Bitou Bush, Asparagus Fern
- Fishbone Fern, Buffalo, Couch
- Grevellia robusta
- Lantana Thicket
- Lantana camara, Asparagus Fern, Senna, Buffalo
- Lantana, Crofton Weed, Bidens, Watsonia, Senna
- Narrow-leaved Cotton Bush
- Ochna
- Ochna, Lantana, Asparagus Fern
- Ochna, Roads Grass
- Spear Thistle, Lantana
- Treated Bitou Bush
- Wild Tobacco, Senna



Data Source:
Total Earth Care
Nearmap



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5 MONITORING GUIDELINES

Monitoring is required to assess the outcomes of the weed management work and help determine if management strategies should be amended. Monitoring should be completed every six (6) months by a qualified ecologist or bush regeneration supervisor using the following methods:

- Assessment of weed control works, native regeneration and revegetation success via permanent repeatable photographic monitoring points; and
- Mapping of weed density per zone to assess the progress of the work. The mapping included in this report can assist in the development of baseline data.

Monitoring reports must include:

- Details of the work carried out including weed management techniques and herbicide used;
- Photo monitoring points – baseline and follow up photos; and
- Recommendations for corrective measures and/or specific vegetation management required.

Appendix A. Weed Species listed as a Biosecurity Risk

Table 2. Categories of Management under the Greater Sydney Regional Strategic Weed Management Plan 2017-2022 under the NSW Biosecurity Act 2015

Category	Management Action
Prevention (Prevent)	To prevent the weed species arriving and establishing in the Region.
Eradication (Eliminate)	To permanently remove the species and its propagules from the Region, OR to destroy infestations to reduce the extent of the weed in the region with the aim of local eradication.
Containment (Minimise)	To prevent the ongoing spread of the species in all or part of the Region.
Asset Protection (Manage)	To prevent the spread of weeds to key sites/ assets of high economic, environmental and social value, or to reduce their impact on these sites if spread.
GBD (General Biosecurity Duty)	All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable."
RRM (Regional Recommended Measure)	Specific details for each species included in table.
PoD (Prohibition on Dealings)	Must not be imported into the State or sold.
B Zone (Biosecurity Zone)	Specific details for each species included in table.
PM (Prohibited Matter)	A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries.

Table 3. Weeds recorded within the subject site with respective categories listed in the Greater Sydney Regional Strategic Weed Management Plan 2017-2022

Common Name	Botanical Name	WONS	State Priority Weed-Mgmt. Actions	Regional Priority Weeds-Mgmt. Actions	Other Regional Weeds-Asset/value at risk	Duties for Priority Weeds of Greater Sydney
Crofton Weed	<i>Ageratina adenophora</i>				Environment, Agriculture	
Whisky Grass	<i>Andropogon virginicus</i>				Environment	
Asparagus Fern	<i>Asparagus aethiopicus</i>	Yes				PoD
Cobblers Pegs	<i>Bidens pilosa</i>					
Buffalo Grass	<i>Bouteloua dactyloides</i>					
Bitou Bush	<i>Chrysanthemoides monilifera subsp rotundata</i>	Yes	Containment			PoD, B Zone; The Bitou Bush Biosecurity Zone is established for all land within the State except land within 10 kilometres of the mean high water mark of the Pacific Ocean between Cape Byron in the north and Point Perpendicular in the south.
Spear Thistle	<i>Cirsium vulgare</i>					
Fleabane	<i>Conyza bonariensis</i>					
Panic Veldgrass	<i>Ehrharta erecta</i>					
African Lovegrass	<i>Eragrostis curvula</i>				Environment	
Coral Tree, Common Coral Tree	<i>Erythrina x sykesii</i>				Environment	
Narrow-Leaf Cotton Bush / Swan Plant	<i>Gomphocarpus fruticosus</i>					
Pennywort	<i>Hydrocotyle bonariensis</i>					

Common Name	Botanical Name	WONS	State Priority Weed-Mgmt. Actions	Regional Priority Weeds-Mgmt. Actions	Other Regional Weeds-Asset/value at risk	Duties for Priority Weeds of Greater Sydney
Coolatai Grass	<i>Hyparrhenia hirta</i>				Environment, Agriculture	
Lantana	<i>Lantana camara</i>	Yes	Asset Protection			PoD
Fishbone Fern	<i>Nephrolepis cordifolia</i>				Environment	
Ochna	<i>Ochna serrulata</i>				Environment	
Fireweed	<i>Senecio madagascariensis</i>	Yes	Asset Protection			PoD
Senna / Cassia	<i>Senna pendula</i>				Environment	
Paddy's Lucerne	<i>Sida rhombifolia</i>					
Tobacco Bush/ Wild Tobacco	<i>Solanum mauritianum</i>				Environment, Agriculture	
Blackberry Night Shade	<i>Solanum nigrum</i>					
Purpletop	<i>Verbena bonarensis</i>					

Appendix B. Species Specific Weeding Techniques

Common Name	Botanical Name	Weeding Technique	Recommended Timing for Treatment	Herbicide Application	Herbicide Group	Ratio
Crofton Weed	<i>Ageratina adenophora</i>	Hand removal, brush cut and foliar sprayed with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
Whisky Grass	<i>Andropogon virginicus</i>	Remove seed and crown out with knife or spot spray	Prior to flowering in March to May	Glyphosate 360g/L	M	1/100
Asparagus Fern	<i>Asparagus aethiopicus</i>	Small single specimens to be crowned or Sprayed with Glyphosate/metsulfuron methyl	All year round	Glyphosate 360g/L & Metsulfuron-Methyl 600 g/kg	M & B	1/100 & 1g/10L
Cobblers Pegs	<i>Bidens pilosa</i>	Foliar spraying using Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Buffalo Grass	<i>Bouteloua dactyloides</i>	Hand removal, brush cut and foliar sprayed with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
Bitou Bush	<i>Chrysanthemoides monilifera subsp rotundata</i>	Small single specimens hand pulled or larger shrubs cut and painted with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Spear Thistle	<i>Cirsium vulgare</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Fleabane	<i>Conyza bonariensis</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Panic Veldgrass	<i>Ehrharta erecta</i>	Foliar spraying with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
African Lovegrass	<i>Eragrostis curvula</i>	Hand pulled or brush cut and foliar sprayed with Glyphosate	All year round	Glyphosate 360g/L	M	1/100
Coral Tree, Common Coral Tree	<i>Erythrina x sykesii</i>	<80mm cut & painted; >80mm will be drilled/frilled with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Narrow-Leaf Cotton Bush / Swan Plant	<i>Gomphocarpus fruticosus</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100 & Neat
Pennywort	<i>Hydrocotyle bonariensis</i>	Hand pulled or spot sprayed with Dicamba	All year round			
Coolatai Grass	<i>Hyparrhenia hirta</i>	Hand pulled or brush cut and foliar sprayed with Glyphosate. Up to three applications of Glyphosate in the same growing season will be required.	All year round	Glyphosate 360g/L	M	200ml/10l

Common Name	Botanical Name	Weeding Technique	Recommended Timing for Treatment	Herbicide Application	Herbicide Group	Ratio
Lantana	<i>Lantana camara</i>	Cut and paint, sprayed or splattered with Glyphosate. Hand pull small shoots.	All year round	Glyphosate 360g/L	M	Neat
Fishbone Fern	<i>Nephrolepis cordifolia</i>	Hand removal. Brush cut then sprayed with Glyphosate.	All year round	Glyphosate 360g/L	M	1/100
Ochna	<i>Ochna serrulata</i>	Double side scrape and paint all stems to 75% coverage.	All year round	Glyphosate 360g/L	M	Neat
Fireweed	<i>Senecio madagascariensis</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Senna / Cassia	<i>Senna pendula</i>	Small individuals hand removed, larger plants cut and painted with neat Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Paddy's Lucerne	<i>Sida rhombifolia</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Tobacco Bush/ Wild Tobacco	<i>Solanum mauritianum</i>	Cut & paint with Glyphosate	All year round	Glyphosate 360g/L	M	Neat
Blackberry Night Shade	<i>Solanum nigrum</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100
Purpletop	<i>Verbena bonariensis</i>	Foliar spraying with Glyphosate, hand pulled and brush cut	All year round	Glyphosate 360g/L	M	1/100

Appendix 4: Noise Monitoring Results

- January: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_Jan2025_V2.pdf
- February: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_Feb2025_V1.pdf
- March: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_Mar2025_V3.pdf
- April: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_Apr2025_V2.pdf
- May: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_May2025_V2%20-%20Signed.pdf
- June: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_June2025_V2.pdf
- July: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_July2025_V2.pdf
- August: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_August2025_V2.pdf
- September: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_September2025_V2.pdf
- October: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_October2025_V2.pdf
- November: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_November2025_V2.pdf
- December: https://www.deltapae.com.au/ArticleDocuments/10643/E241225_1_MCNoise_December2025_V2.pdf

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N/A	N/A	1	Environment & Approvals Coordinator	Page 74 of 79
DOCUMENT UNCONTROLLED WHEN PRINTED				



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendix 5: Annual Subsidence Report

Review Date	Next Review Date	Revision No	Document Owner	Page
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SITE:	Chain Valley Colliery and Mannering Colliery
Department:	Health, Safety and Environment
REPORT TITLE:	2025 Annual Subsidence Report
Prepared by:	Nicholas van Bezouwen – Environment and Community Coordinator Grant Lord – Registered Mine Surveyor
Report Date:	19 March 2026
Distribution:	Department of Planning, Housing and Infrastructure NSW Resources Regulator

TABLE OF CONTENTS

1	Introduction	3
1.1	Background.....	3
1.2	Purpose.....	3
1.3	Approvals and Legislation	5
1.4	Stakeholder Engagement.....	5
1.5	Supporting Documentation	5
2	Monitoring and Comparison	6
2.1	Monitoring Overview	6
2.1.1	Shoreline (High Water Subsidence Control Zones)	6
2.1.2	Seagrass.....	7
2.1.3	Benthic Communities	7
2.1.4	Methods of Subsidence Monitoring	7
3	Bathymetric Monitoring.....	9
4	Foreshore Monitoring	14
4.1	Chain Valley Colliery	16
4.1.1	Morisset Peninsula Line 49, 50, 51 and 52	16
4.1.2	Brightwaters.....	20
4.1.3	Trinity Point	21
4.1.4	Summerland Point, Lines 32, 23, 40 and 41.....	22
4.1.5	Chain Valley Bay, Lines 24 and 33.....	26
4.1.6	Timing of Subsidence Monitoring	28
4.2	Mannering Colliery	28
4.2.1	Monitoring Overview	28
5	Impacts to Built Features from 2023 Mining Activities	30
5.1	Chain Valley Colliery	30
5.1.1	Pelican Rock Navigational Marker	30
5.2	Mannering Colliery	31
6	Impacts to Natural Features.....	32
6.1	Chain Valley Colliery	32
6.1.1	Seagrass Bed Monitoring.....	32
6.1.2	Benthic Communities Monitoring	33
7	Adaptive Management – Subsidence Management Trigger Action Response Plan (TARP) Implementation and Remediation	34
7.1	Chain Valley Colliery	34
7.2	Mannering Colliery	34

1 Introduction

1.1 Background

Chain Valley Colliery (CVC) and Mannering Colliery (MC) are underground coal mines on the southern side of Lake Macquarie, approximately 60 kilometres (km) south of Newcastle and 80 km north of Sydney.

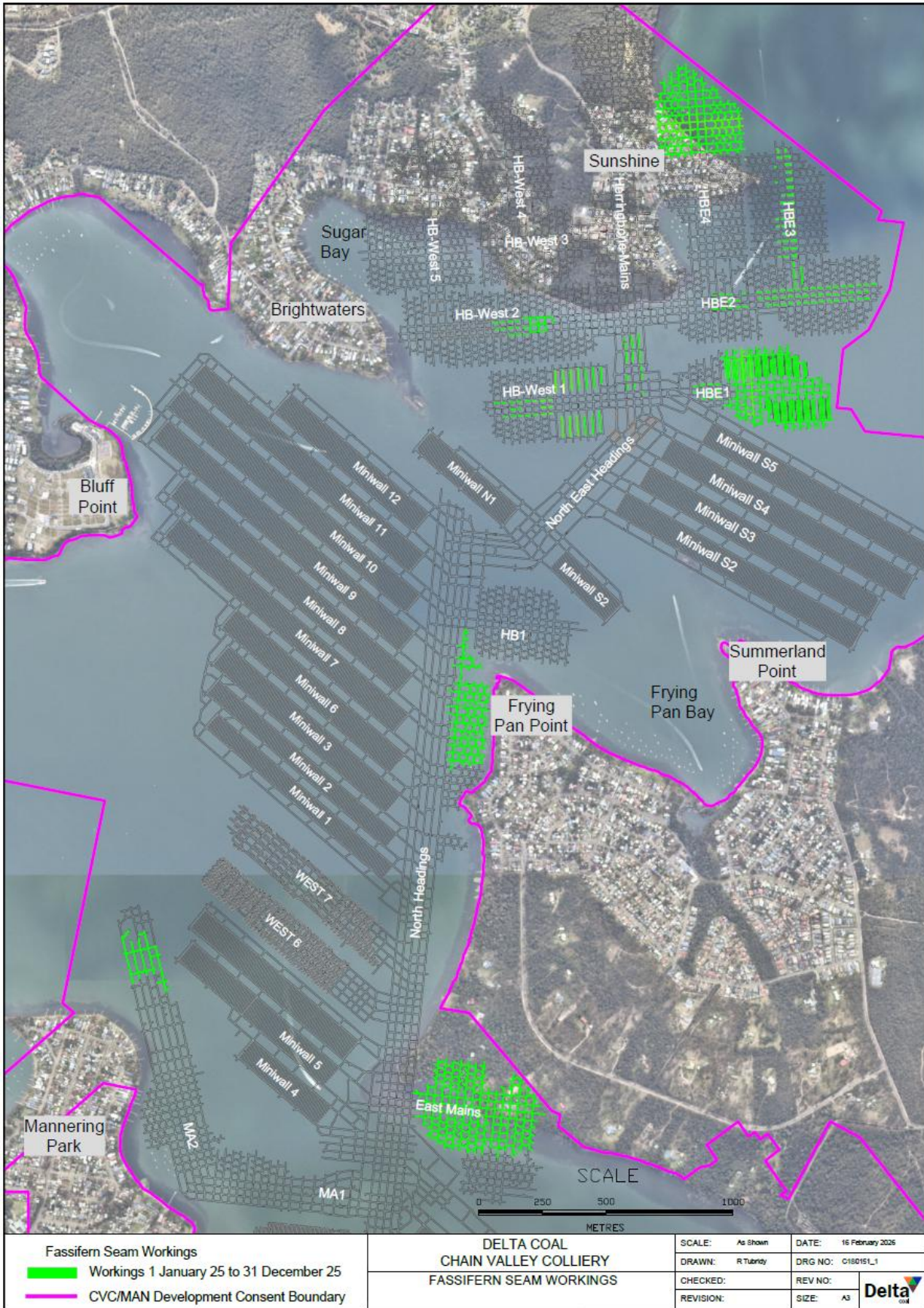
CVC operates under Development Consent SSD-5465, as modified, which was originally granted on 23 December 2013 by the then Minister for Planning and Infrastructure under Part 4, Division 4.1 of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act), which relates to State significant development (SSD). The consent permits underground bord and pillar mining as well as Miniwall mining in the Fassifern Seam at a maximum rate of 2.1 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal, with all secondary extraction confined to areas under the Lake Macquarie water body.

MC was granted Project Approval (MP06_0311) under Part 3A of the EP&A Act on 12 March 2008 and, as modified, permits the extraction of up to 1.1 Mtpa of ROM coal until 31 December 2027. It also permits the handling of up to 2.1 Mtpa ROM coal with that coal transported via a dedicated overland conveyor to Delta Electricity's Vales Point Power Station (VPPS) for domestic energy generation.

1.2 Purpose

This Annual Subsidence Report (ASR) provides an overview of subsidence monitoring data and management performance for CVC and MC in the 2025 calendar year and has been prepared as an appendix to the Chain Valley Colliery and Mannering Colliery Annual reviews.

Figure 1 - CVC Fassifern Workings (green represents 2025 Mining Progress)



1.3 Approvals and Legislation

This ASR has been prepared to meet the annual subsidence report requirement within the CVC SSD-5465 Statement of Commitments.

Subsidence monitoring is undertaken in accordance with Chain Valley Colliery's approved Subsidence Monitoring Programs (SMP):

- Chain Valley Colliery, Subsidence Monitoring Program, Northern Mining Area First Workings and Lake Macquarie Extraction, August 2021.
- Chain Valley Colliery, Subsidence Monitoring Program, Miniwall S5 and Northern Mining Area Pillar Extraction, November 2025 (forms part of the approved CVC MWS5 and NMA Extraction Plan Amendment 3).

1.4 Stakeholder Engagement

Delta Coal has consulted with the local community via the CVC and MC Community Consultative Committee (CCC) on subsidence results at the four quarterly meetings undertaken in 2025. This report is appended to the 2025 Chain Valley Colliery and Mannering Colliery Annual Reviews and will be made available to the CCC and applicable stakeholders as well as being made publicly available on the Delta Coal website.

1.5 Supporting Documentation

This ASR is informed by the relevant sections of the following documents:

- June 2025, Lake Macquarie Benthos Survey Report No. 25. Report prepared by J.H. & E.S. Laxton – Environmental Consultants P/L for Delta Coal
- May 2025 Seagrass Survey of Chain Valley Bay, Summerland Point, Bardens Bay and Crangan Bay, Lake Macquarie, NSW (Results for 2008 to 2025). Report prepared by J.H. & E.S. Laxton – Environmental Consultants P/L for Delta Coal
- 2023 Benthic Communities Management Plan, Delta Coal
- 2022 Seagrass Management Plan, Delta Coal
- 2025 Subsidence Monitoring Program, Delta Coal (Extraction Plan Miniwall S5 and Northern Pillar Extraction)

- 2021 Subsidence Monitoring Program, Delta Coal (Northern Mining Area First Workings and Lake Macquarie Pillar Extraction)
- 2025 Chain Valley Colliery Miniwall S5 and Northern Pillar Area Extraction Plan
- 2021 Built Features Management Plan, Delta Coal
- 2021 Public Safety Management Plan, Delta Coal
- 2024 Biennial Benthic Communities Monitoring Statistical Analysis Report prepared by EMM Consulting for Delta Coal

2 Monitoring and Comparison

2.1 Monitoring Overview

As detailed in Section 1.4.1, CVC has two actively approved Subsidence Monitoring Programs, with one program addressing Miniwall S5 and pillar extraction and the other addressing first-workings and pillar extraction in Lake Macquarie. Scope of Subsidence Monitoring.

Monitoring undertaken in 2025 comprised:

- Shoreline and terrestrial monitoring of fixed reference points installed prior to underground mining to determine levels of vertical subsidence;
- Bathymetric scans of the lake bed in areas of secondary extraction, surveys are undertaken prior to, during and following secondary extraction; and
- Visual inspections undertaken of areas overlying mining zones, with particular focus on steep slopes and cliffs in built areas, for signs of possible surface disturbance.

2.1.1 Shoreline (High Water Mark Subsidence Control Zones)

In accordance with Condition 1, Schedule 4 of SSD-5465, vertical subsidence within the HWMSB is limited to a maximum subsidence (S_{max}) of 20 mm. The primary control to achieve this limit is the implementation of a conservative mine design, utilising first workings only with long term stable pillars in this zone.

To monitor the effectiveness of the mine design, monitoring of the shoreline is carried out at fixed reference marks (subsidence marks) which are surveyed at regular intervals. The frequency is dependent on the proximity to active operations.

2.1.2 Seagrass

Condition 2, Schedule 4 of SSD-5465 requires that negligible environmental consequences occur to the seagrass beds due to underground mining operations (in Lake Macquarie). Surveys of the seagrass extents are undertaken in order to monitor impacts on the seagrass population.

Delta Coal's *Seagrass Management Plan (2022)* outlines the methodology used to determine changes to composition and quantity of seagrass populations in Lake Macquarie as a result of mining activities at CVC.

Subsidence monitoring of the lakebed is undertaken via bathymetric survey over CVC's current mining areas to validate subsidence predictions.

2.1.3 Benthic Communities

Annual surveys of the lakebed are undertaken in order to monitor variations in the composition and density of benthos due to mining, environmental and/or other seasonal factors. Condition 2, Schedule 4 of SSD-5465 permits minor environmental consequences to benthic communities as a result of mining induced subsidence.

Delta Coal's *Benthic Communities Management Plan (Delta Coal 2023)* outlines the methodology used to determine changes to species diversity and abundance.

Subsidence monitoring of the lakebed is undertaken via bathymetric survey over CVC's current mining area in order to validate subsidence predictions and to determine approximate levels of subsidence on specific benthic sample locations.

2.1.4 Methods of Subsidence Monitoring

2.1.4.1 Overview

Subsidence monitoring at CVC includes a combination of bathymetric surveys and terrestrial level monitoring. Results are used to validate modelled outcomes; enable early detection of subsidence trends which allows adaptive management and the implementation of contingency measures.

2.1.4.2 Bathymetric Surveys

A third party is commissioned to undertake bathymetric surveys over the areas of past, current and proposed workings at CVC and MC. Baseline bathymetric data was provided to NSW Office of Environment and Heritage (OEH) in 2010. The accuracy of the bathymetric surveys are ± 0.1 m.

Since 2012, bathymetric surveys have been completed on at least an annual basis with ongoing surveys providing accurate details of the lake depth within CVC's mining areas. During the 2017 survey it was

identified that the site had exceeded vertical subsidence predictions over the MW7-12 mining area by approximately 370mm. LakeCoal (the operator at that time) notified the relevant authorities of the exceedance and submitted an incident report on 11 November 2017. Subsidence associated with MW7-12 has proven to have stabilised since, with no discernible affect identified within seagrass and benthic communities monitoring.

Table 1 - Chain Valley Colliery Secondary Extraction Subsidence Monitoring Commitments

Secondary Extraction Panel	Approved S_{max} (mm)	Predicted S_{max} (mm)	Measured S_{max} (mm)	Extraction Completion date	Post Extraction Bathymetric Scanning Commitment
Miniwall S1	780	420	<200	September 2018	Annual for 3 years unless TARP triggered
Miniwall S2	780	300	200-250	March 2020	Annual for 3 years unless TARP triggered
Miniwall S3	780	300	350-400	July 2020	Annual for 3 years unless TARP triggered
Miniwall S4	780	300	500-550	February 2021	Annual for 3 years unless TARP triggered
Miniwall S5	780	500	350-400	August 2021	Annual for 3 years unless TARP triggered
NMA Pillar Extraction	780	500	<100	Not completed.	Annual for 3 years unless TARP triggered

Monitoring has continued in accordance with the approved *Miniwall S5 and Northern Pillar Extraction Plan* in the 2025 period.

A software error was identified in the bathymetric survey results in the 2023 reporting period, which altered the survey height results. Unfortunately, this software error resulted in a -0.15m height discrepancy between the old and new projects.

This was a software developer error for that particular version (2012) of the software and was corrected in the 2023 bathymetric data but was present in previous surveys (excluding the baseline survey). Going forward, Delta Coal will keep the old project levels and adjust survey values by +0.15m to align with the old data. All data will remain relevant to the original baseline survey.

3 Bathymetric Monitoring

Bathymetric scans undertaken in March and September 2025 are presented in **Figures 2 through to Figure 4**, which include:

- MWS2, MWS3, MWS4, MWS5 and the Northern Mining Area.

Figure 2 present Bathymetric surveys over the Miniwall S2-S5 extraction area which have indicated subsidence of up to 500-550 mm directly over the extracted area of MWS4 which prompted a independent geotechnical review to ensure ongoing compliance with the subsidence limit of 780mm. The report noted that while there was minimal risk of exceeding the 780mm subsidence limit, there was a likelihood for additional subsidence of 30-50mm.

Figure 2 – Miniwalls S2-S5 Bathymetric Scan – March 2025

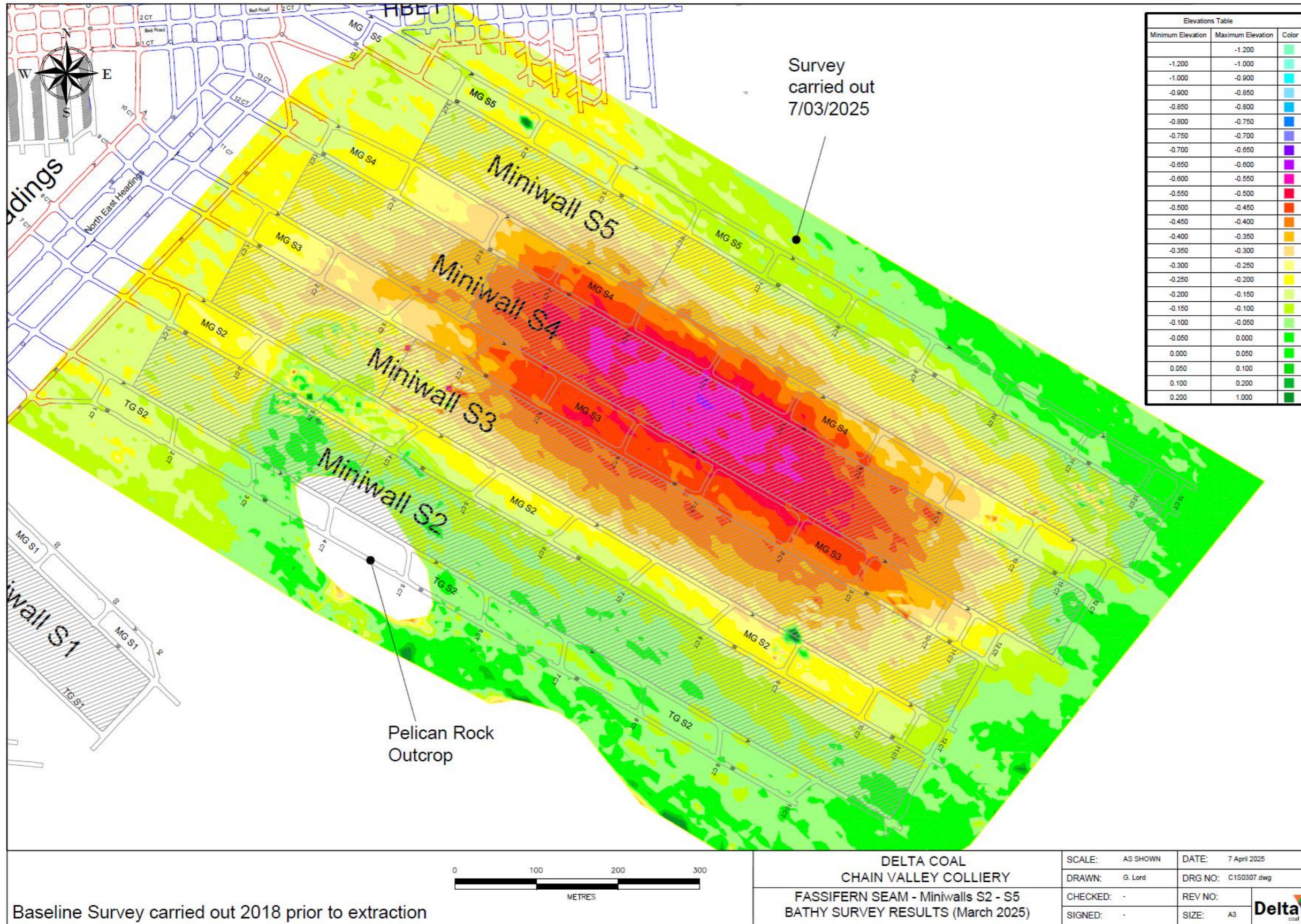


Figure 3 - Miniwalls S2-S5 Bathymetric Scan, September 2025

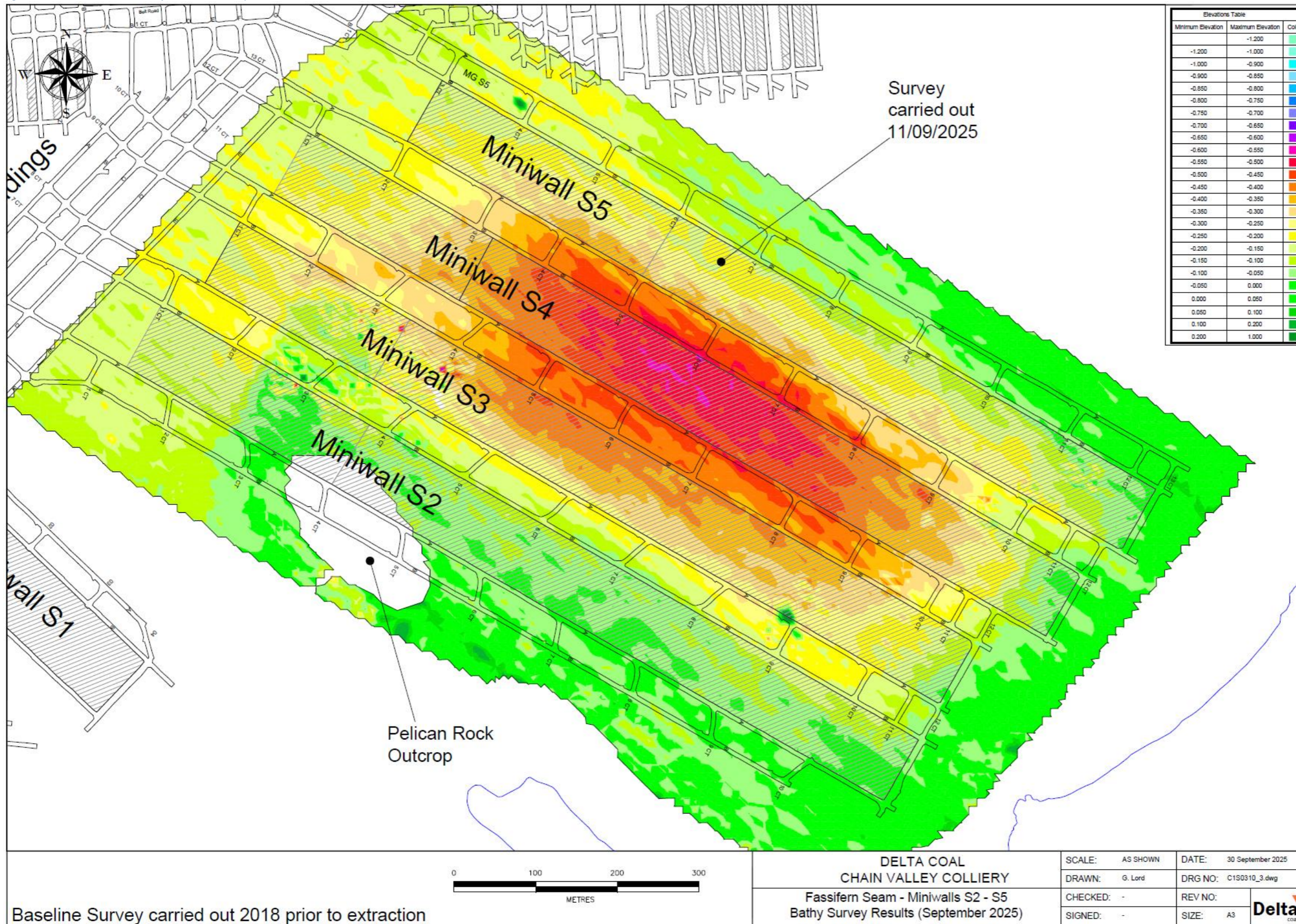


Figure 4 - Northern Mining Area Bathymetric Scan, March 2025

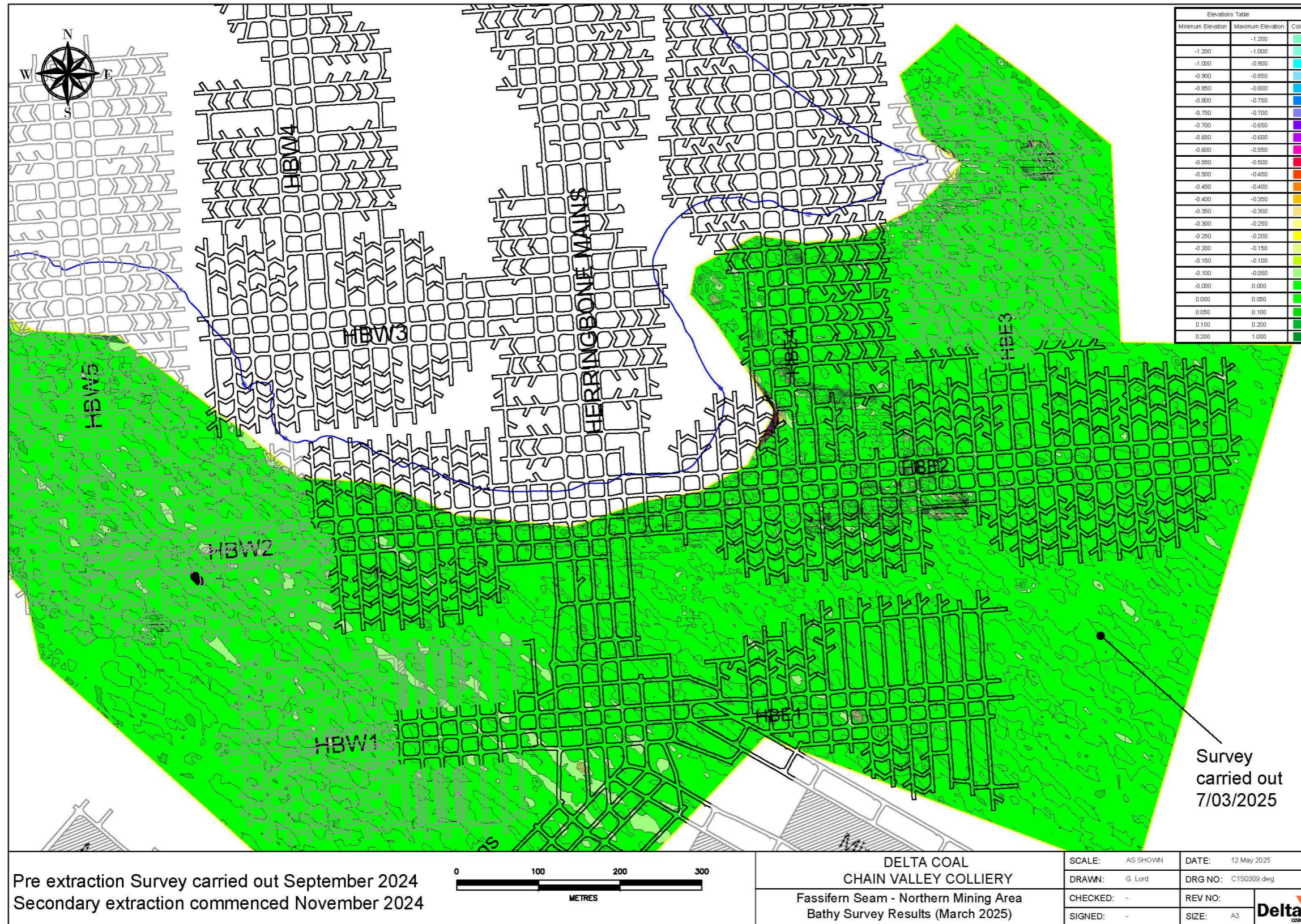
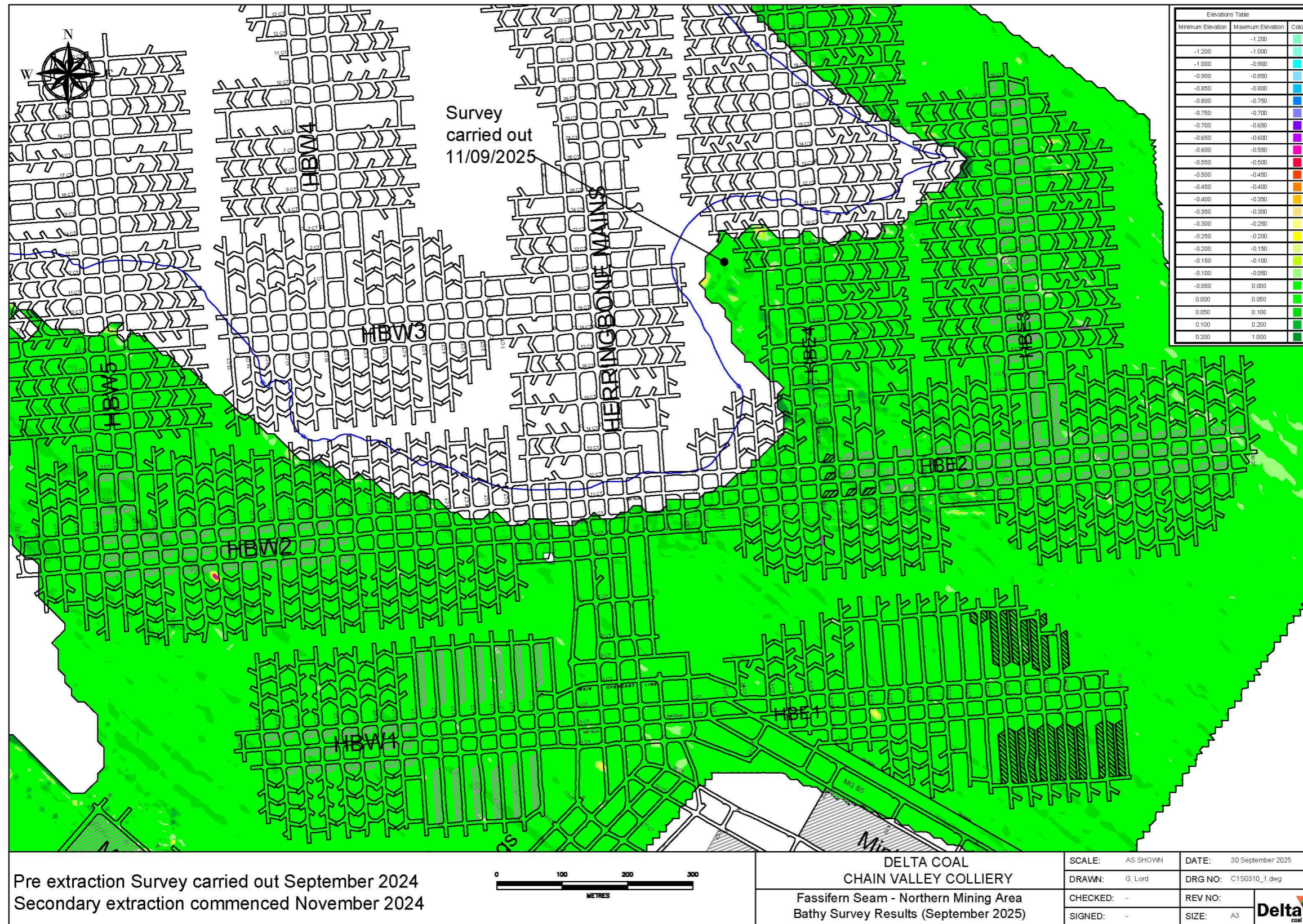


Figure 5 - Northern Mining Area Bathymetric Scan, September 2025

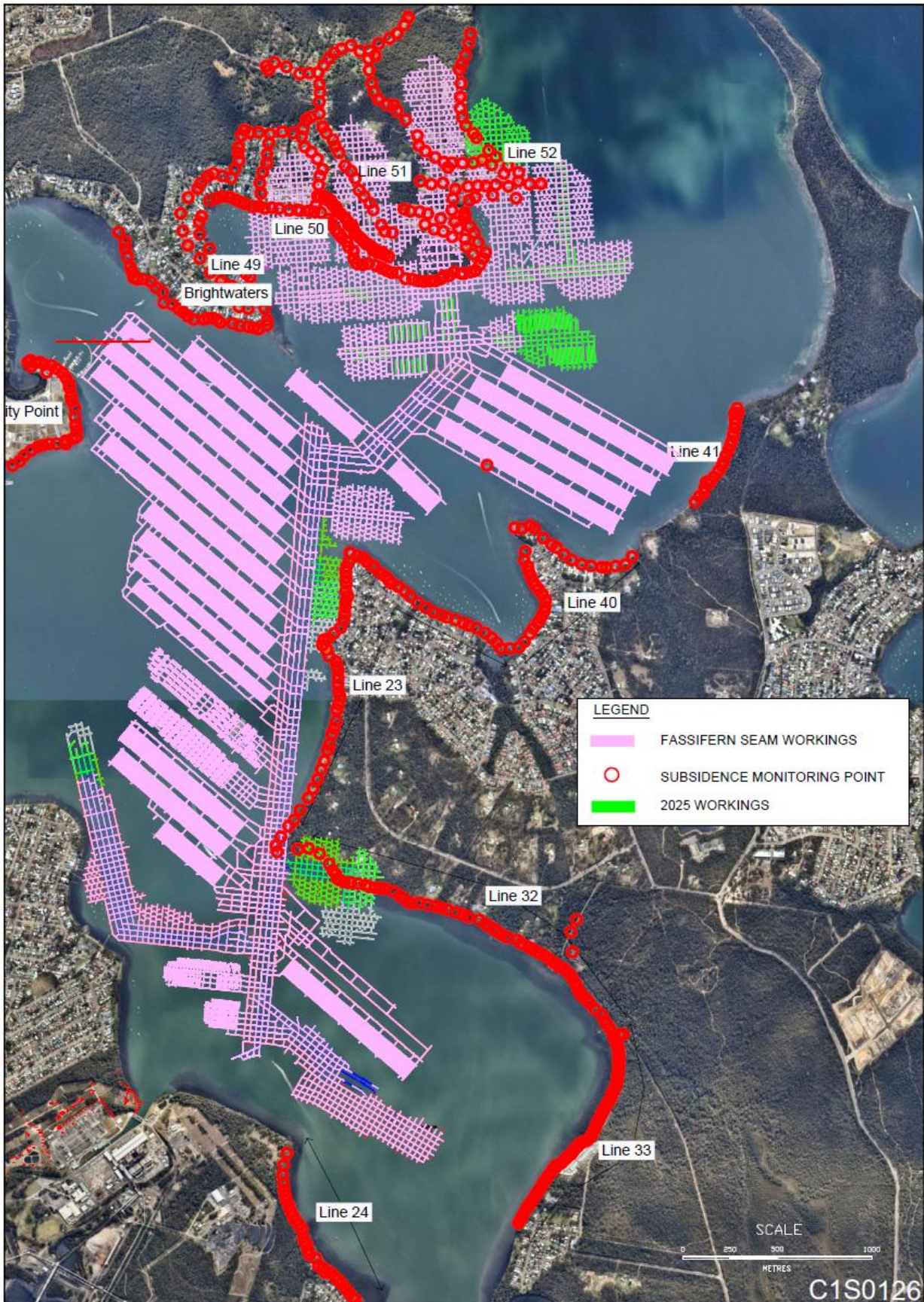


4 Foreshore Monitoring

Delta Coal completes subsidence monitoring around Trinity Point, Brightwaters, Mirrabooka, Sunshine, Frying Pan Bay, Summerland Point & Chain Valley Bay (**Figure 4**). Monitoring points occur along the foreshore at approximately 20m – 30m intervals where practicable / achievable. Monitoring survey results are uploaded to the Resources Regulator SSIMS portal.

A Visual Subsidence Inspection Proforma is completed at monthly intervals over the current mining areas under an agreement between Delta Coal and the Resources Regulator. These visual inspections, look for any signs of impacts or changes to public safety and include visual inspection of steep slopes, ponding and other potential effects of mine subsidence. Annual foreshore surveying was undertaken throughout 2025.

Figure 4 - Foreshore Subsidence Monitoring Points



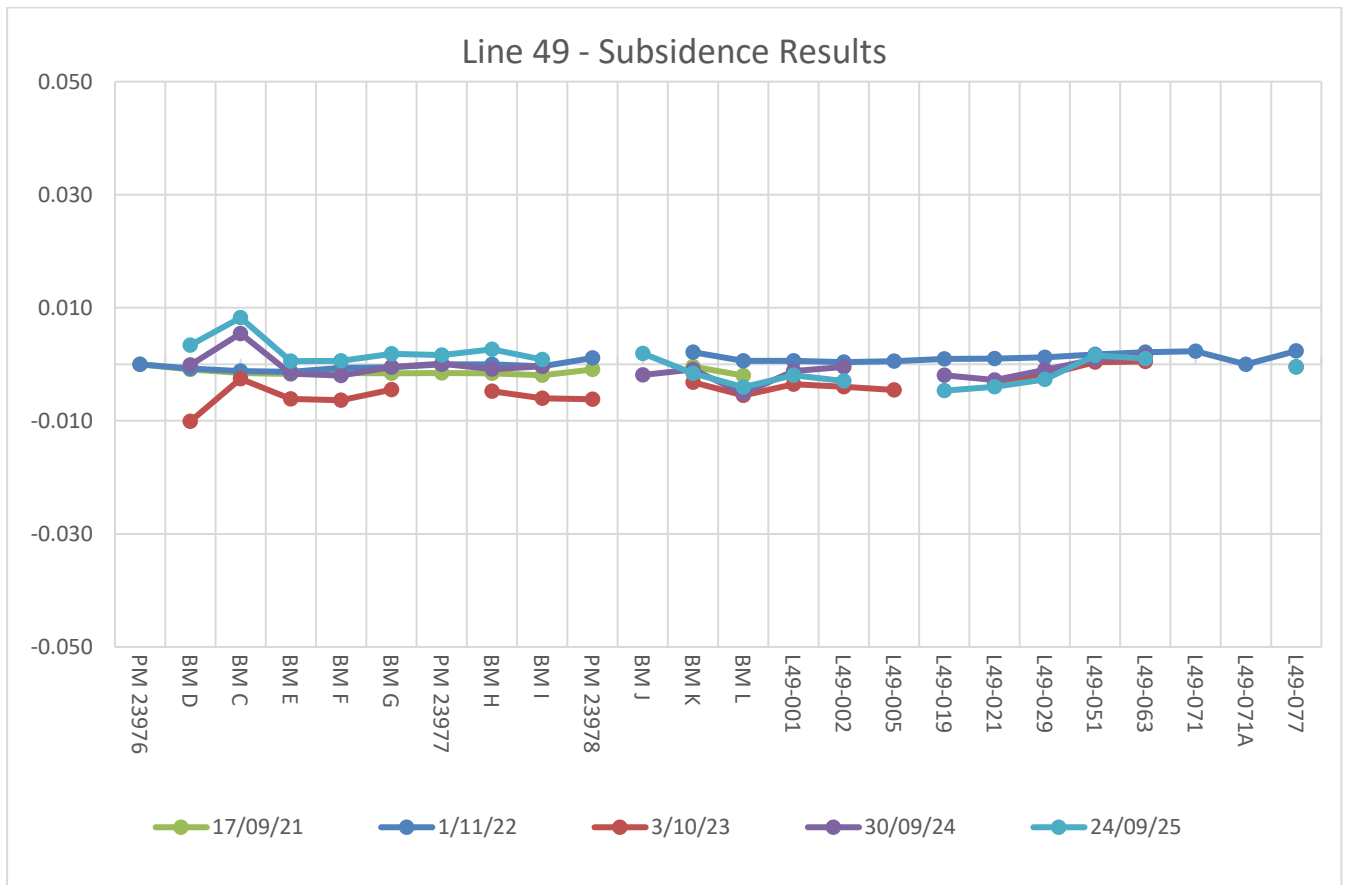
4.1 Chain Valley Colliery

4.1.1 Morisset Peninsula Line 49, 50, 51 and 52

Foreshore monitoring lines 49, 50 and 51 were installed in 2021, for the purpose of monitoring potential subsidence associated with future northern mining area workings. Line 52 was installed in 2022 to cover the foreshore as mining extended to the north. Surveys are carried out over the current mining areas quarterly, with annual surveys over the full grid.

Line 49

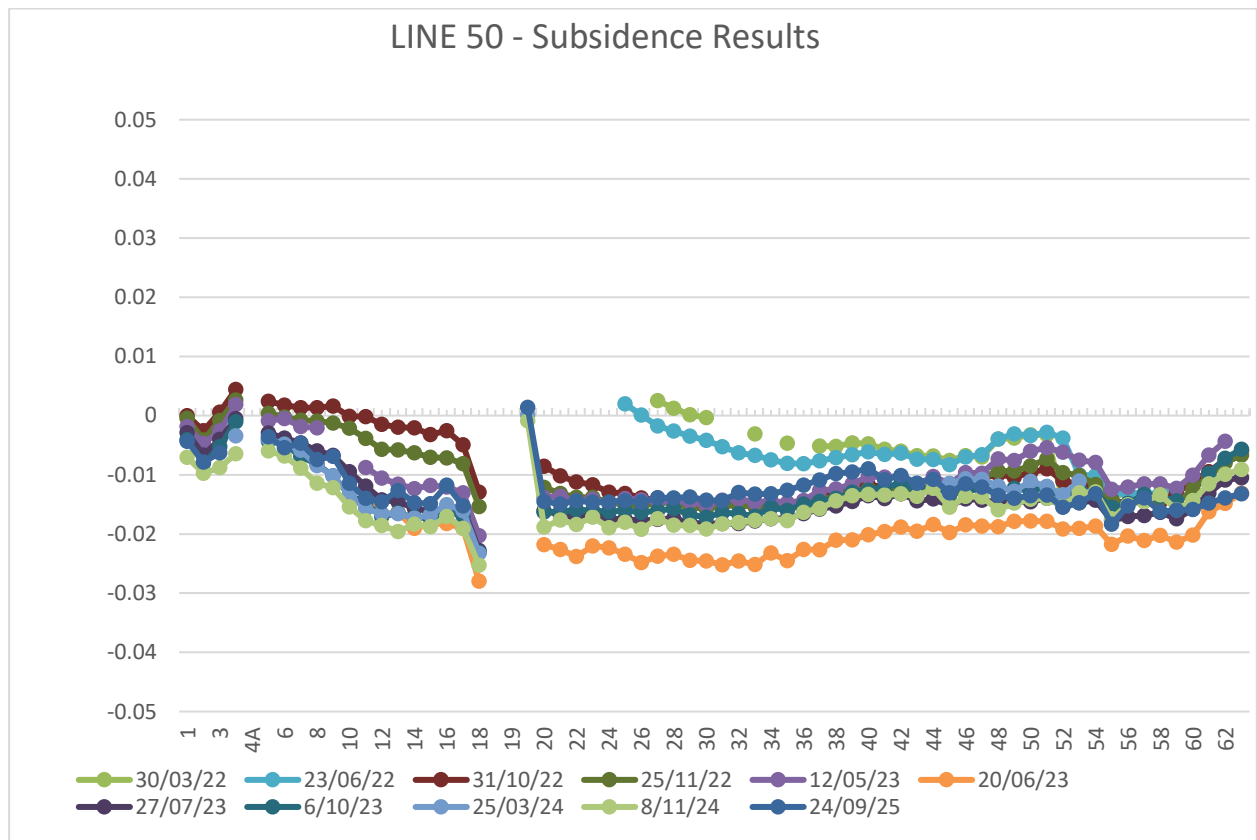
Survey results for line 49 show less than 20mm movement.



Line 50

Survey results for line 50 generally show less than 20mm movement. Noting that:-

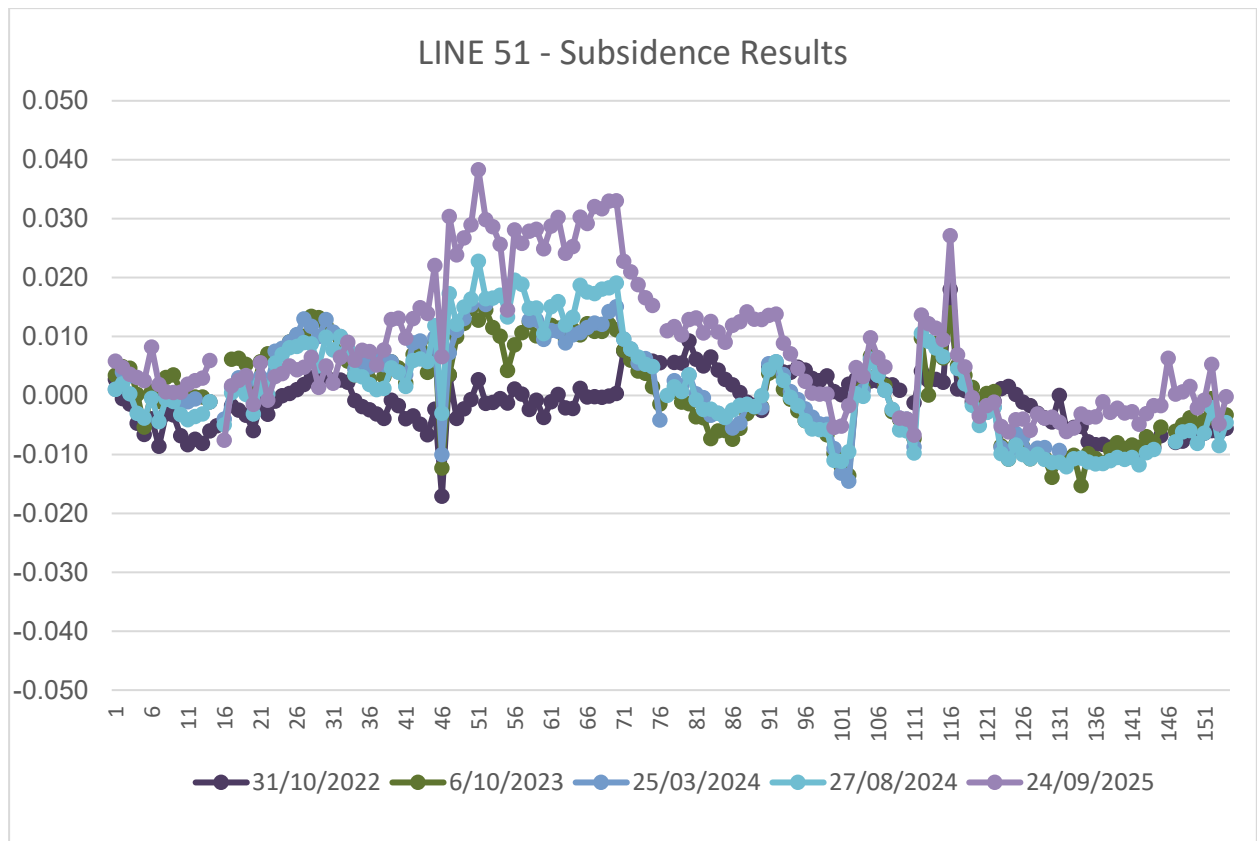
- Results showing a drop in RL for mark 18 are not indicative of mining induced subsidence, but rather a possible issue with the integrity of the survey mark.
- Anomalous results received for Line 50 in the June 2023 survey is presumed to be natural ground movement as all subsequent survey results were compliant within the 20mm subsidence limit.



Line 51

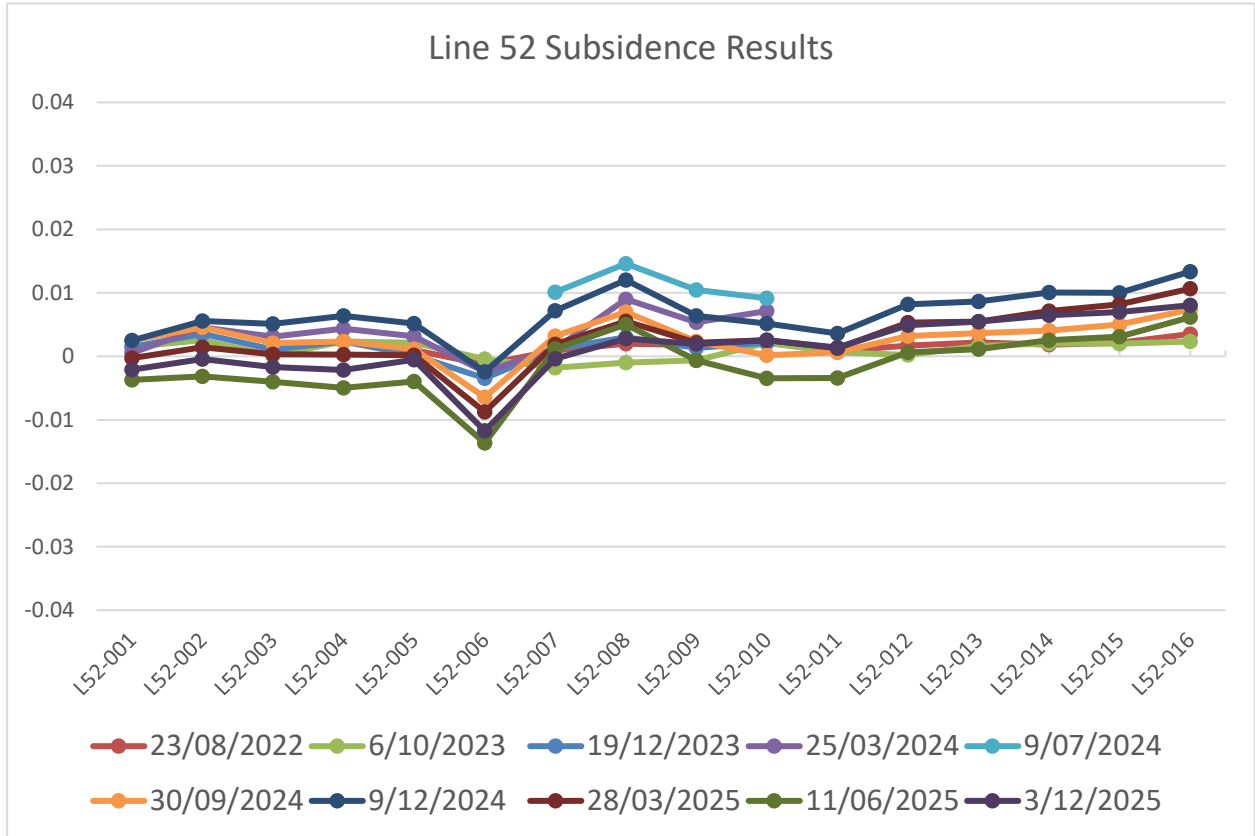
The Morisset Peninsular subsidence monitoring marks have been subject to much natural ground movement. With extensive levelling surveys held in the area showing constant changes to the level of marks often seen as upward movement while benchmarks and benchmark checks remain stable.

The largest variations seen in the chart below represent monitoring marks that have not been undermined, yet up to 35mm of movement was recorded.



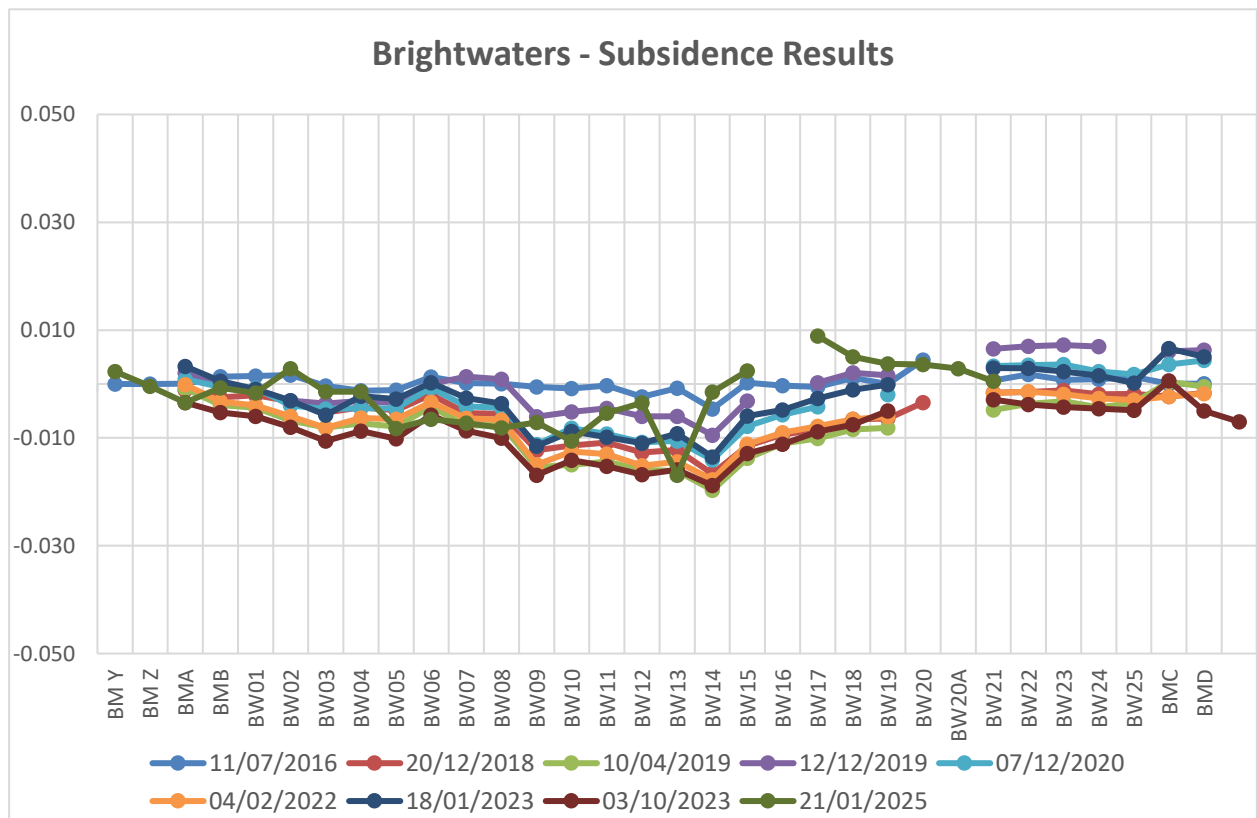
Line 52

Survey results for line 52 show the area to remain stable.



4.1.2 Brightwaters

Monitoring points were installed along the Brightwaters peninsula in June 2016 to monitor the effects of Miniwall 11 and 12 extraction, which finished in July 2017. Surveys were previously carried out over the Brightwaters foreshore annually. Due to the relative stability (<20mm) of the results over the past nine years, monitoring of this line has now ceased.

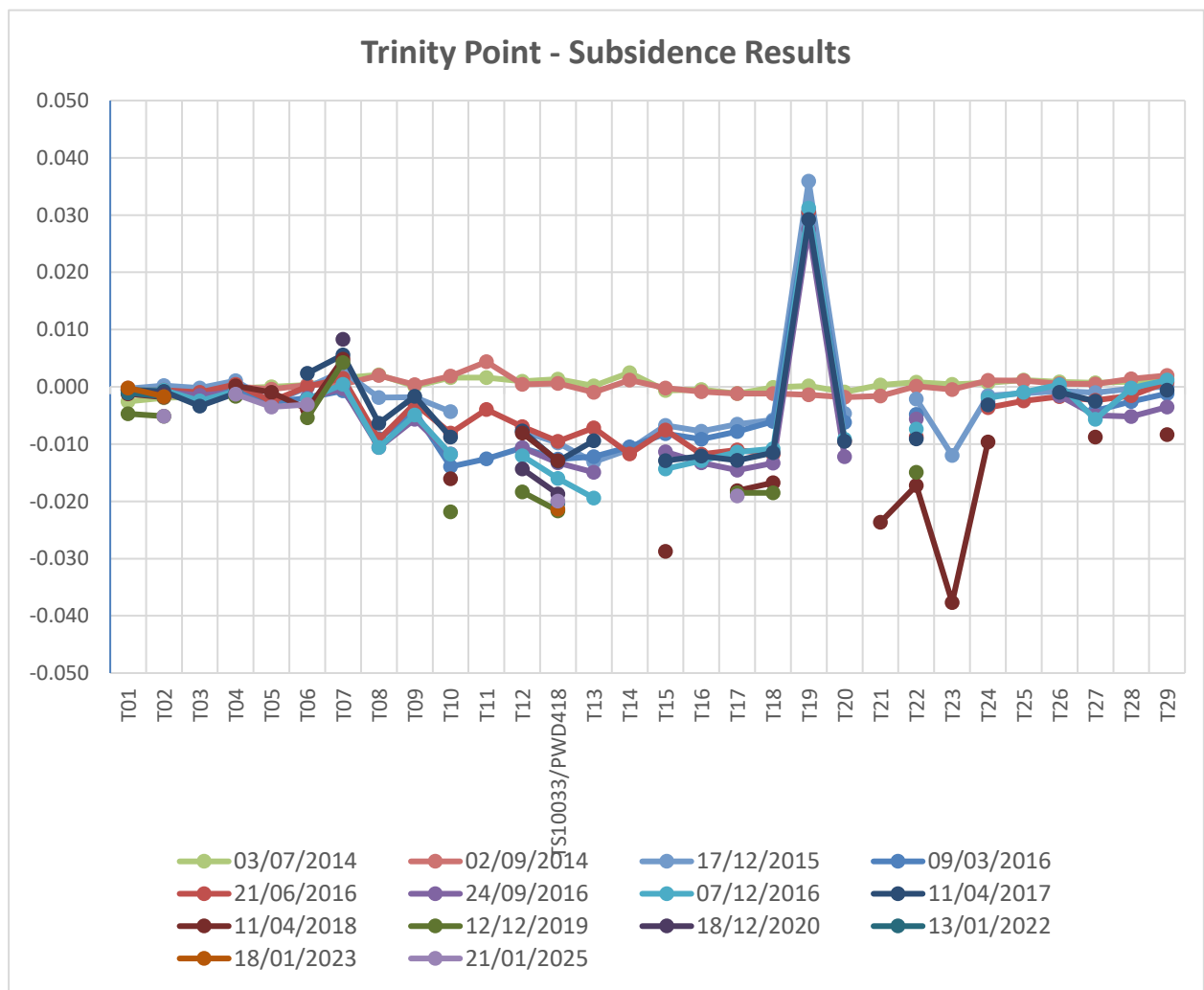


4.1.3 Trinity Point

Monitoring points were installed in the Trinity Point area in 2014 for shoreline monitoring during extraction of Miniwalls 7-12 panels. Since 2018 a number of marks have been disturbed or destroyed due to development along the foreshore in the area. The 2024 annual survey (Jan-25) shows only 6 marks that were able to be identified, however nil movement attributable to subsidence has been detected. A few anomalous marks show greater than 20mm movement, but all can be attributed to local disturbance of the mark. These anomalous marks are PWD418, T15, T21 and T23.

During 2025, all marks along this foreshore were reestablished and a new baseline survey was run for comparison in future years.

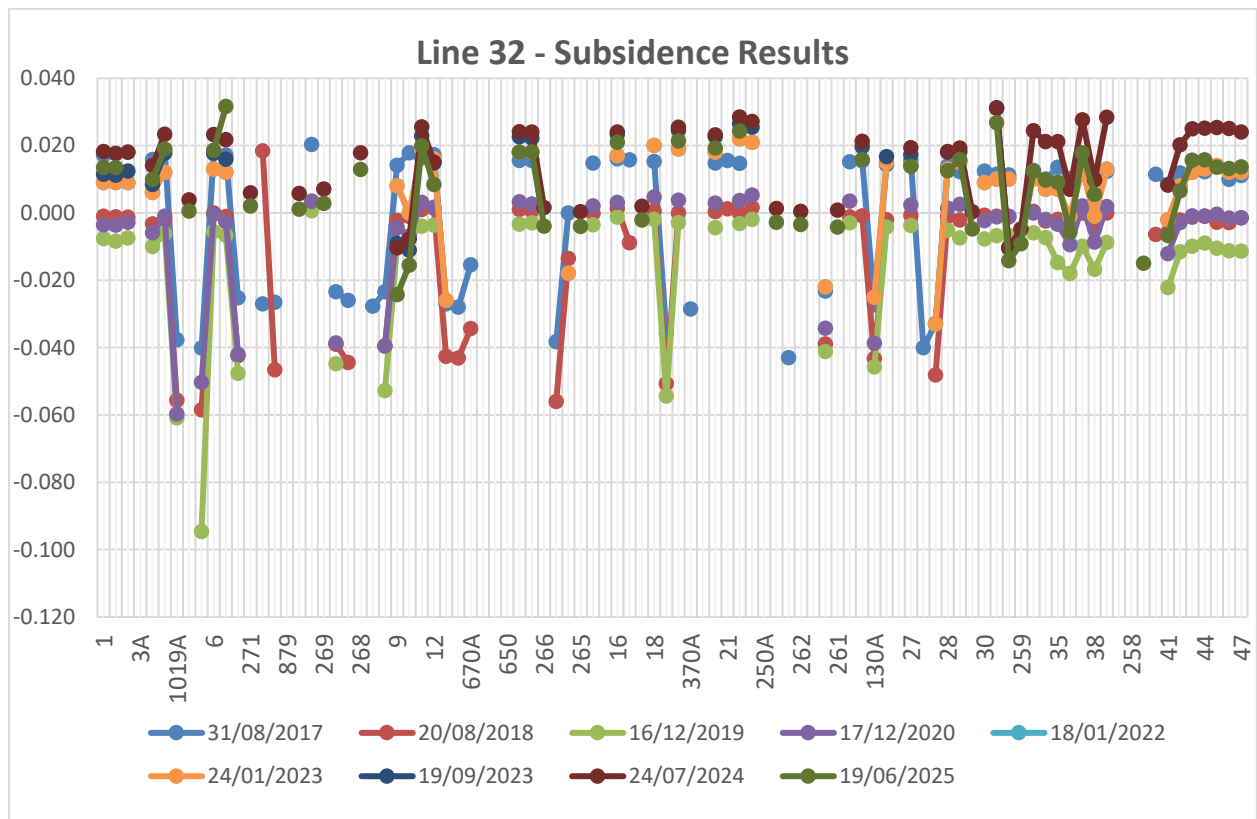
This monitoring line is surveyed annually.



Summerland Point, Lines 32, 23, 40 and 41

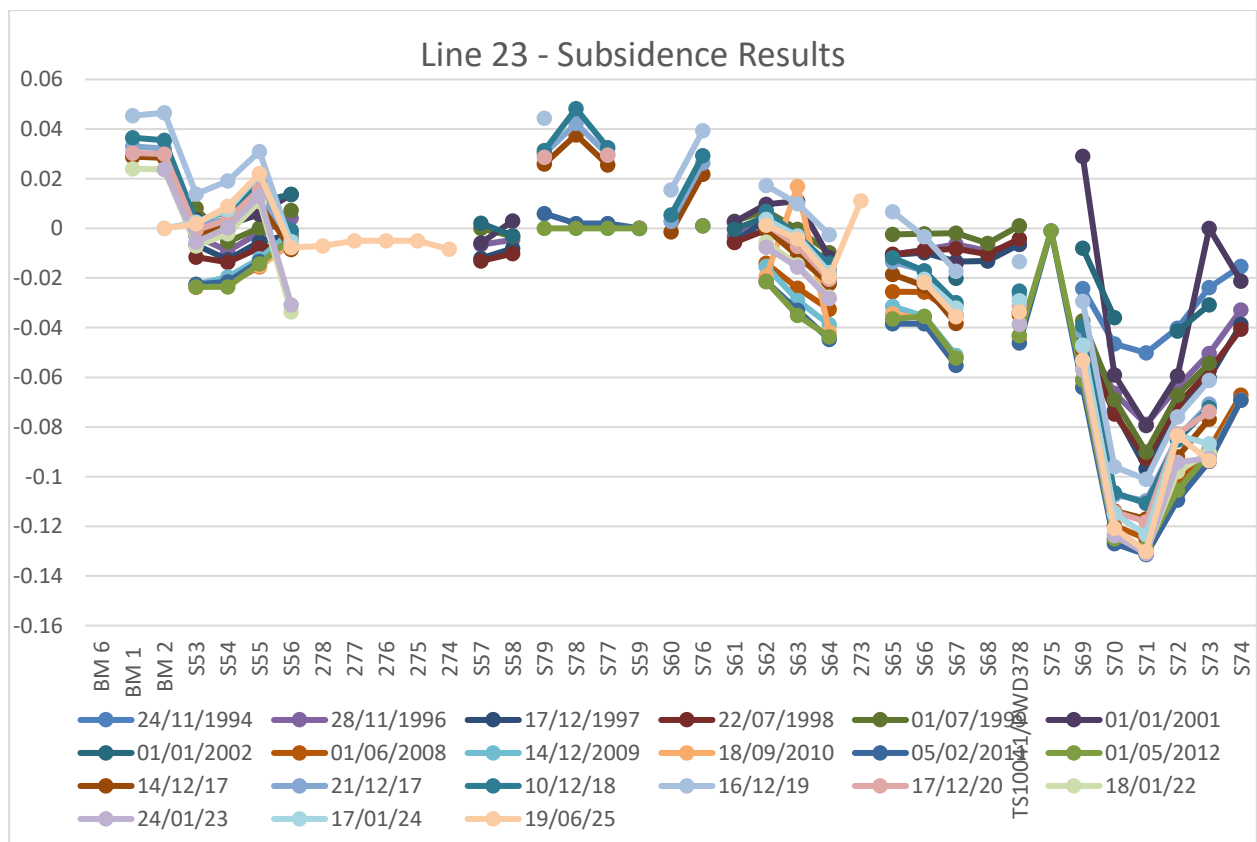
Line 32

Line 32 was originally installed in 1989. Due to their age and that a number of the marks are steel star pickets (now heavily rusted), the integrity of some of the marks has been affected. Monitoring data shows that the area has been stable for the past few years. Line 32 monitoring marks are surveyed annually.



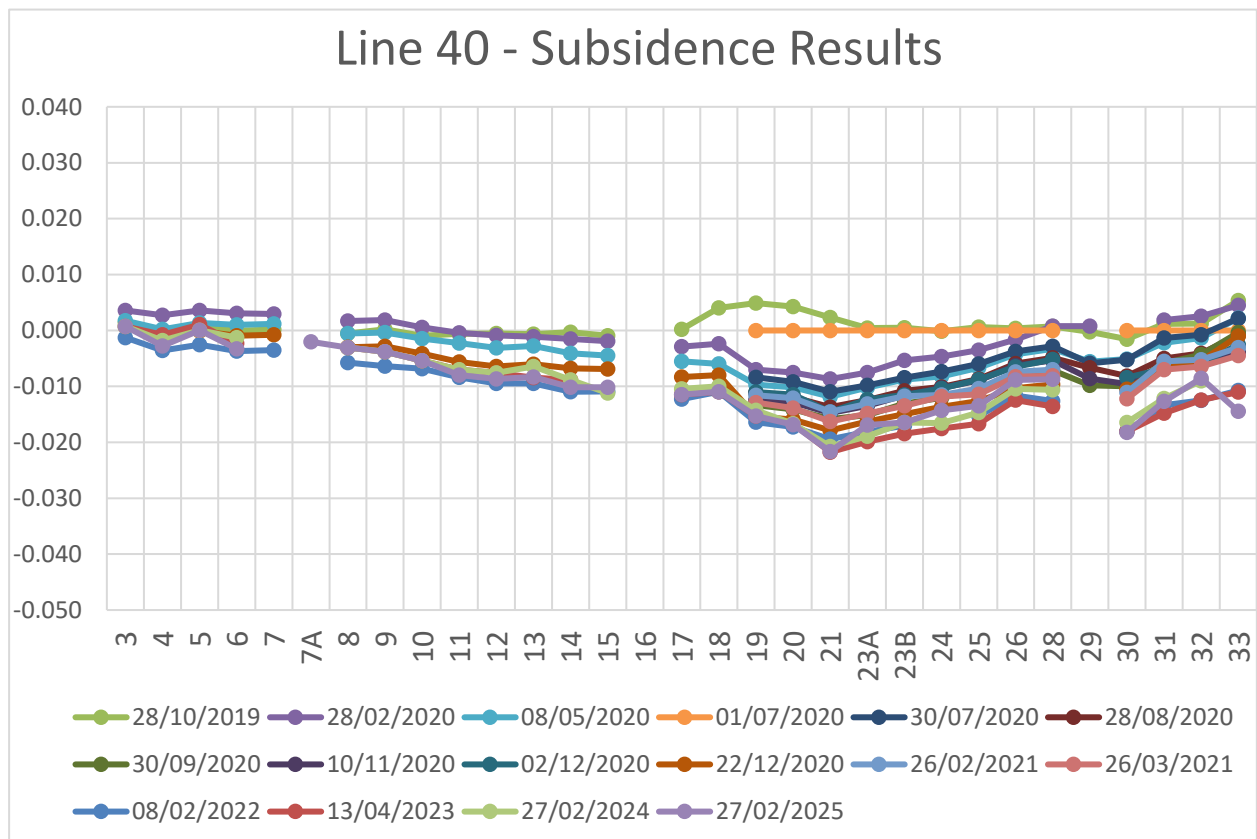
Line 23

The foreshore along Summerland Point has been monitored since 1994, after secondary extraction was undertaken in the Wallarah Seam beneath the south-western point (corresponding to mark S63 – 74 of Line 23). Approximately 130mm to 150mm of subsidence was measured (Point S71 - Line 23). There has been no observable movement from the 2008 datasets to the current (Figure 11). Line 23 monitoring marks are surveyed annually.



Line 40

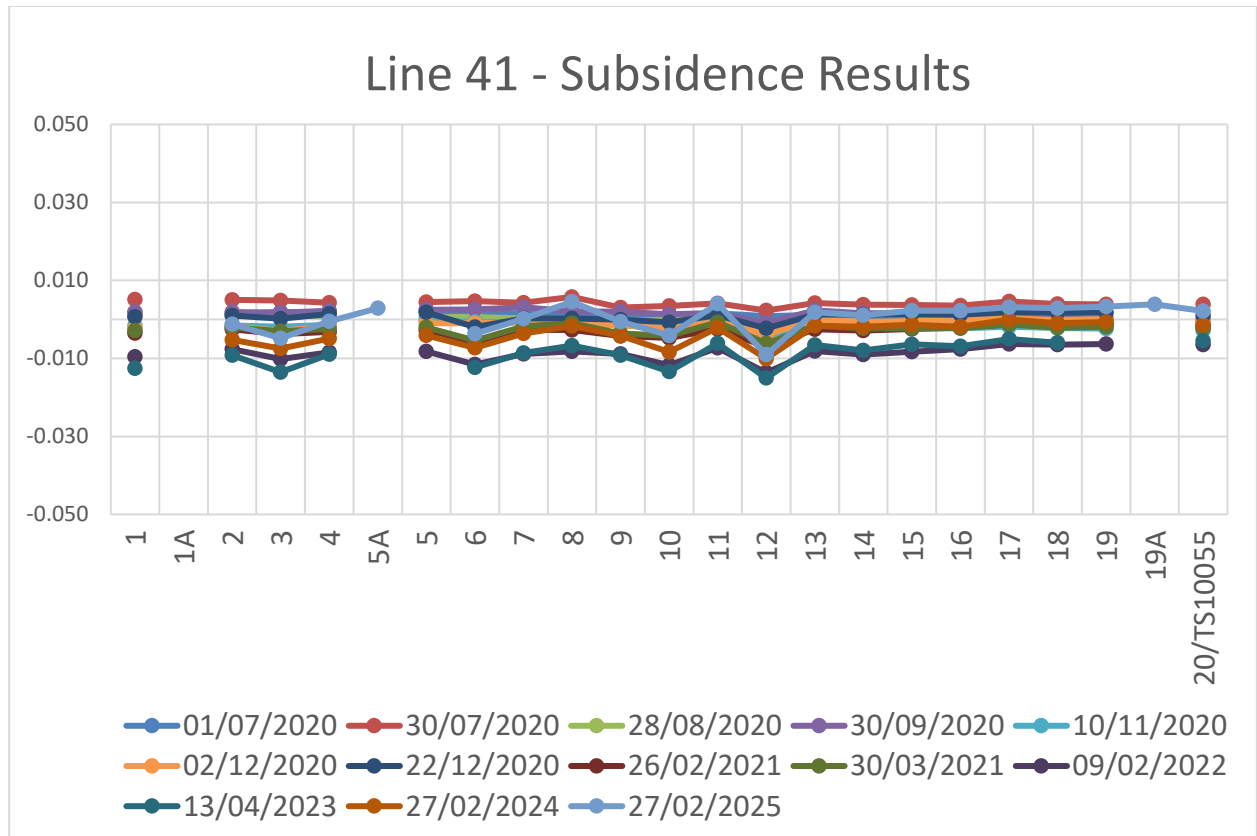
Monitoring points along Line 40 were established in 2018 to monitor the shoreline adjacent to Miniwall S1. This line was extended in 2019 as part of the subsidence monitoring program for Miniwalls S2 and S3. Minor ground movement along the line appears seasonal, with most movement limited to <20mm. Point 21 has recorded results of 22 mm over the past few years, given these results met or exceeded the 20mm subsidence limit Chain Valley Colliery is continuing to monitor the survey line. Note that the 22mm of recorded subsidence is not believed to be all mining induced. Monitoring of Line 40 is undertaken annually.



Line 41

Line 41 was established in July 2020 to monitor the shoreline adjacent Miniwall S4. Monitoring is undertaken annually, with surveys indicating negligible (<20mm) movement within compliance limits.

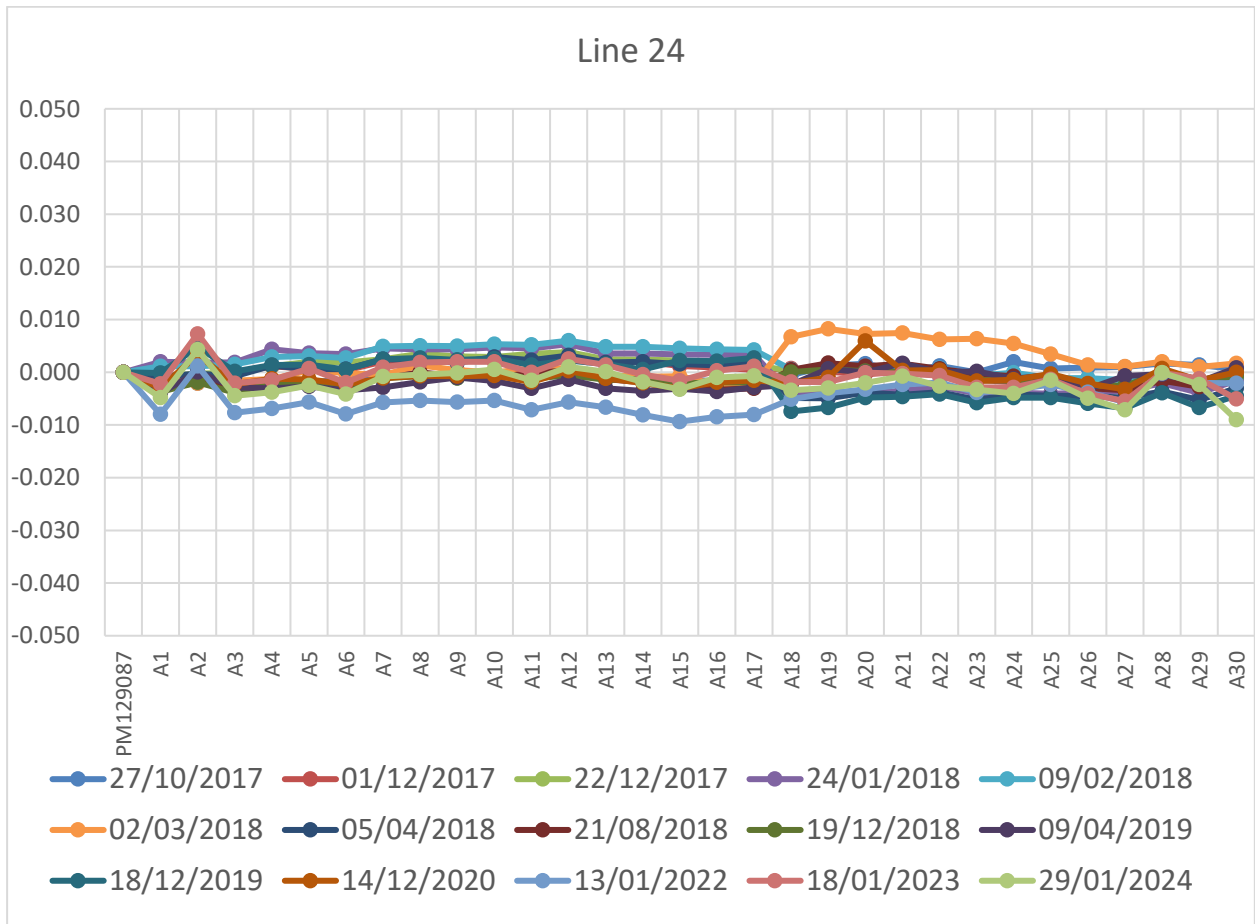
Monitoring of Line 41 is undertaken annually.



4.1.4 Chain Valley Bay, Lines 24 and 33

Line 24

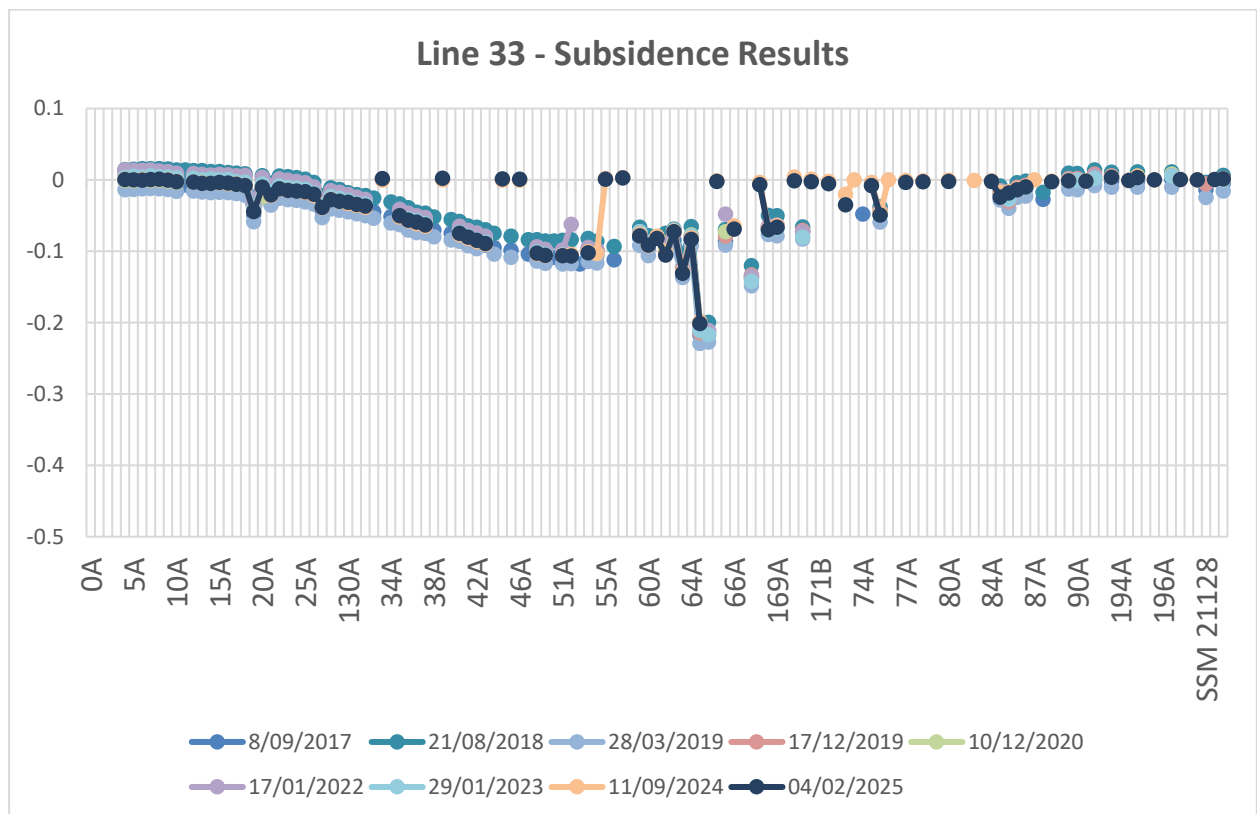
Line 24 lies on the western foreshore of Chain Valley Bay. Monitoring results have not identified mining induced vertical movement (< 20mm). Line 24 monitoring points were previously surveyed annually. Monitoring of the Line 24 was ceased in 2024 after notifying the Resources Regulator of the intention to stop.



Line 33

The Line 33 baseline survey was conducted in 1991. Line 33 is underlain with old mine workings in the upper seams and many of the historically monitored subsidence marks have experienced up to 120mm. No additional subsidence movement was detected during the miniwall extraction in CVB. The monitoring indicates compliance to limits with one monitoring location (A63) impacted by surface activities unrelated to the mine site. Three anomalous marks, 62A, 63A & 65A have recorded up to 230mm of movement, which is most likely due to the integrity of the marks on the lake edge. Noting that these results have not changed significantly for over 8 years.

No additional subsidence was observed at Line 33A within the reporting period.



4.1.5 Timing of Subsidence Monitoring

Timing of subsidence monitoring at CVC is defined in approved Extraction Plans and is summarised in **Table 2**. CVC has also made subsidence monitoring commitments to first-workings, also presented in **Table 2**.

Table 2 - Frequency of Subsidence Monitoring for Secondary Extraction

Type of monitoring	Pre-extraction requirements	During extraction requirements	Post extraction requirements
Secondary Extraction			
Bathymetric surveys	Single baseline survey prior to extraction	End of panel (of relevance to S2, S3, S4 and S5) Annual surveys over areas of pillar extraction (not commenced)	Annual for three years unless TARP triggered
Foreshore monitoring	Baseline survey prior to commencement of extraction	Monthly intervals	Annual for three years unless TARP triggered
Pelican Rock Navigation Marker	Baseline RL and tilt measurements	End of panel (of relevance to S2 and S3)	Visual inspection and confirmation from RMS of nil impacts
First Workings			
Terrestrial based subsidence monitoring (foreshore)	Baseline prior to extraction	Annual surveys during extraction unless TARP triggered	Annual surveys ongoing unless TARP triggered
Terrestrial based subsidence monitoring (along main roads in suburbs of Brightwaters, Mirrabooka and Sunshine)	Baseline prior to extraction	Annual surveys during extraction unless TARP triggered	Annual surveys ongoing unless TARP triggered

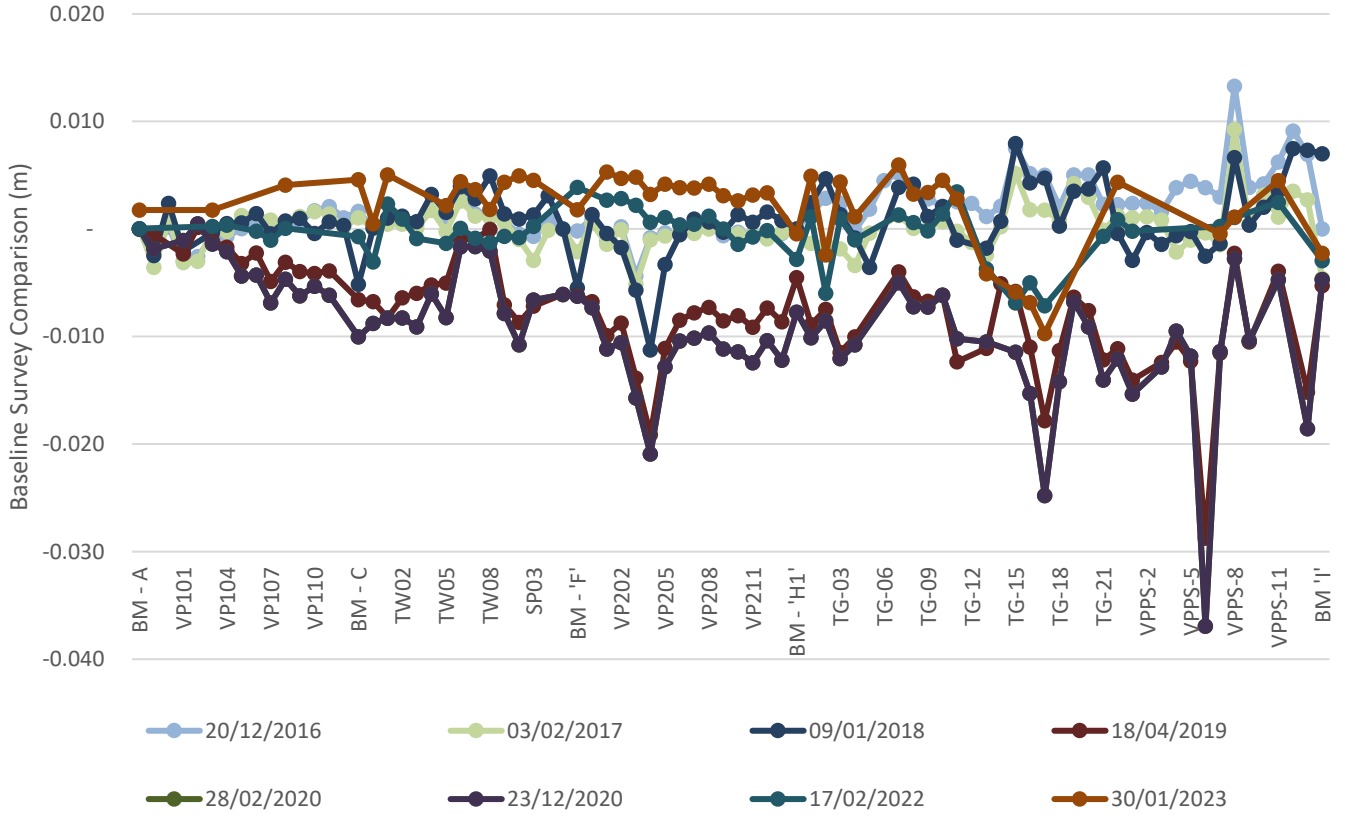
4.2 Mannering Colliery

4.2.1 Monitoring Overview

At the commencement of mining operations associated with the link road project between CVC and MC, a subsidence monitoring program was implemented. Due to the sensitive nature of the infrastructure being undermined (ie VPPS), subsidence monitoring was undertaken on a weekly basis within a 250 m radius of the mining activity. At the completion of mining, the frequency of subsidence monitoring of the link road development was reduced to an annual survey. Monitoring results have been presented in **Figure 16** and indicate <30 mm subsidence recorded to date, with anomalous readings recorded at monitoring point VPPS-6 from 18/04/2019.

There was no mining undertaken at Mannering Colliery during 2025. Surveying of the VPPS monitoring line was ceased after 8 consecutive years of subsidence monitoring, displaying negligible movement.

Vales Point Monitoring Line



5 Impacts to Built Features from 2025 Mining Activities

5.1 Chain Valley Colliery

No built features have been identified as requiring direct subsidence management from mining activities undertaken at CVC during 2025.

First workings were undertaken beneath the Morisset Peninsula within the NMA with no subsidence impacts to surface facilities or infrastructure reported to date. Visual inspections are carried out on a monthly basis over the sections of the Morisset Peninsular that have been undermined.

5.1.1 Pelican Rock Navigational Marker

As described in CVC's Subsidence Monitoring Program, the Pelican Rock Navigation Marker is expected to be impacted by approximately 90 mm of subsidence from mining within Miniwall panels S2 and S3.

NSW Roads and Maritime Services (RMS) has indicated a functional impact on the marker is likely to occur at 500 mm of subsidence and 5° or 87 mm/m of tilt.

A survey for RL and tilt was conducted on 10 July 2019 by Daly Smith Surveyors prior to mining and measured Pelican Rock Navigation Marker was 1.14m Australian Height Datum (AHD) and the navigational pole was vertical.

A final survey was undertaken on 16 June 2023, recording the level at 1.09m AHD, indicating an impact of 50 mm. Miniwall mining methods were ceased at Chain Valley Colliery in August 2021, with MWS3 completed in July 2020.

Following completion of the June 2023 survey of Pelican Rock navigational marker, Delta Coal contacted Transport for NSW (formerly RMS), seeking confirmation that the navigational marker was deemed still suitable for operation and to confirm monitoring of the marker could cease, provided no further subsidence impacts were anticipated. In 2024, Delta Coal received confirmation from Transport for NSW that Delta Coal was able to cease monitoring of the Pelican Rock navigational marker.



5.2 Mannering Colliery

There were no built features identified as requiring direct subsidence management as a result of MC former workings during 2025.

6 Impacts to Natural Features

6.1 Chain Valley Colliery

Subsidence impact performance measures to natural and heritage features are detailed in SSD-5465 Modification 4, Table 6 as below.

Biodiversity	
Threatened species or endangered populations	Negligible environmental consequences
Seagrass beds	Negligible environmental consequences including: <ul style="list-style-type: none"> • <i>negligible</i> change in the size and distribution of seagrass beds; • <i>negligible</i> change in the functioning of seagrass beds; and • <i>negligible</i> change to the composition or distribution of seagrass species within seagrass beds.
Benthic communities	Minor environmental consequences, including minor changes to species composition and/or distribution.

6.1.1 Seagrass Bed Monitoring

Annual seagrass bed monitoring was undertaken in June 2025 as per the approved Seagrass Management Plan. The Seagrass monitoring report is publicly available at www.deltapae.com.au. **Table 3** is taken from the report and displays compliance to the subsidence impact performance measures table for 2025.

Table 3 - Seagrass Monitoring Compliance

Feature	Requirement	Compliance Status
Threatened species, populations or their habitats and endangered ecological communities.	Negligible impact or environmental consequences.	Yes
Seagrass beds	Negligible environmental consequences including: <ul style="list-style-type: none"> • <i>Negligible</i> change in the size and distribution of seagrass beds • <i>Negligible</i> change in the functioning of seagrass beds; and • <i>Negligible</i> change to the composition or distribution of seagrass species within seagrass beds 	Yes

6.1.2 Benthic Communities Monitoring

Benthic monitoring was undertaken in May 2025. The Benthic Communities reports are publicly available at www.deltapae.com.au. The below table is taken from the May 2025 report and displays compliance to the subsidence impact performance measures.

The results from the May 2025 benthic communities monitoring show compliance to SSD5465 (Mod 4) with respect to the Subsidence Impact Performance Measures for Benthic communities, which display nil to minor environmental consequences due to underground mining.

Table 4 - Benthic Communities Compliance

Conditions from SSD-5465 – Mod 4	Compliance Status and Comments
<p>Schedule 4 Environmental Conditions – underground mining Performance Measures – Natural Environment Biodiversity – Benthic Communities</p> <p>Subsidence Impact Performance Measure – Minor environmental consequences, including minor changes composition and/or distribution.</p>	<p>Compliant – See section 16 - Conclusions</p>
<p>Measurements undertaken by generally accepted methods.</p> <p>Measures Methods fully described.</p>	<p>Compliant – See section 4 and 5</p> <p>Compliant – See section 4 and 5</p>

7 Adaptive Management – Subsidence Management Trigger Action Response Plan (TARP) Implementation and Remediation

7.1 Chain Valley Colliery

Adaptive management includes monitoring subsidence impacts and subsidence effects. based on the results, modifying the mining plan as mining proceeds to ensure that the effects, impacts and/or associated environmental consequences remain within predicted and designated ranges and in compliance with the conditions of this consent. The subsidence Monitoring TARPs for Miniwall S5 and Northern Pillar Extraction has been provided as **Figure 6**.

Triggers and performance indicators (including measured subsidence and inspections for environmental impact) are provided across a number of different management plans at CVC and include specific information regarding:

- subsidence monitoring requirements (including baseline monitoring)
- remediation
- adaptive management techniques and
- contingency plans.

A summary of these are provided in CVC's Subsidence Management TARP which aims to consolidate all subsidence management requirements into a central location, triggering a response or set of responses commensurate with the nature of the measurement or the impact that has been identified.

There were no subsidence related remediation activities undertaken during 2025 as a result of mining activities at CVC.

7.2 Mannering Colliery

There is no subsidence management TARP at MC, with no mining undertaken within the collieries boundaries since the establishment of the link road.

There were no subsidence related remediation activities undertaken during 2025 as associated with Mannering Colliery.

Figure 5 - CVC Subsidence Management TARP

		Revision 4 - 10/08/2021				
		CHAIN VALLEY COLLIERY- SUBSIDENCE MANAGEMENT TRIGGER ACTION RESPONSE PLAN (TARP 00136)				
		SUBSIDENCE MANAGEMENT NORTHERN MINING AREA DOMAIN (S5 and Northern Pillar Area)				
		DETAILED PERFORMANCE INDICATORS	MONITORING REQUIREMENTS	CONTAINMENT / REMEDIATION MEASURES	ADAPTIVE MANAGEMENT MEASURES	CONTINGENCY PLANS
	SUBSIDENCE PARAMETERS (Bathymetric Survey)	Normal Subsidence ≤ 500mm	As per Subsidence Monitoring (SM) Program			
		Trigger Level 1 Subsidence > 500mm to ≤ 780mm	6 monthly surveys until subsidence stabilises, then as per SM Program		Update subsidence predictions based on monitoring data Identify controlling mechanisms	Review ability to limit further increases based on understood mechanisms including: Extraction heights, panel widths, panel recovery
		Trigger Level 2 Subsidence >780mm	6 monthly until subsidence stabilises then as per SM Program	Review if increase likely to create impact at foreshore/seagrass or exceed final subsidence prediction Notify immediately DPIE if incident and within 7 days for non-compliance Notify RR, BCD, affected landholders or infrastructure owner	Review potential change in impact on natural and built features & update management plans if required Implement further controls as applicable from review Update subsidence predictions based on monitoring data Update impact assessment on natural and built features	Immediately review mine plan including panel width, pillar widths, extraction height and panel length Consult with DPIE and RR Review and update Extraction Plan
	SUBSIDENCE PARAMETERS (Foreshore / Land Based Survey over minimum of 2 adjacent pegs)	Normal <20mm recorded movement	Monitoring as per SM Program			
		Trigger Level 1 <20mm recorded movement with slow (3-5mm/month) creep	Validate increase with additional monthly survey/s then as per SM program		Update subsidence predictions based on monitoring data Identify controlling mechanisms	
		Trigger Level 2 >20mm recorded movement (associated with mining)	Implement Ecological Monitoring program for HWMSB exceedance Increase frequency of subsidence parameter monitoring to until rates stabilises. Then as per SM program	Cease extraction in panel in question until review conducted in consultation with DPIE and DRE Notify immediately DPIE if incident and within 7 days for non-compliance Notify RR, OEH, affected landholders or infrastructure owner	Investigate cause of exceedance (ie validate impact due to FAS extraction or not). Update subsidence predictions based on monitoring data Update impact assessment on natural and built features	Provide offsets for any ecological communities or threatened species in the HWMSB if impacts detected Immediately review mine plan including panel width, pillar widths, extraction height in consultation. Consult with DPIE and RR Review and update Extraction Plan
	BUILT FEATURES	Normal No damage requiring remediation	Monitoring as per Subsidence Monitoring Program			
		Trigger Level 1 Subsidence parameters exceeded such that Fassifern workings indicated to have potential impact on foreshore Private bore capacity reduced	RMS routine monitoring navigation markers Monitoring as per BFMP (Built Feature Management Plan)	Review navigational marker freeboard and notify Transport for NSW if impacted Notify immediately DPIE if incident and within 7 days for non-compliance Notify RR and potentially affected landholders or infrastructure owner. Provide temporary water if required.		Develop BFMP in conjunction with owner for built features surrounding potential impact area
		Trigger Level 2 Impact to built feature	Monitoring as per BFMP	Cease extraction in panel in question until review conducted in consultation with DPIE and RR Assist owner with information to aid in Subsidence Advisory NSW claim in accordance with BFMP	Update impact assessment based on observed damage	Immediately review mine plan including panel width, pillar widths Consult with DPIE and RR Review and update Extraction Plan

CHAIN VALLEY COLLIERY- SUBSIDENCE MANAGEMENT TRIGGER ACTION RESPONSE PLAN (TARP 00136)
SUBSIDENCE MANAGEMENT NORTHERN MINING AREA DOMAIN (S5 and Northern Pillar Area)

		DETAILED PERFORMANCE INDICATORS	MONITORING REQUIREMENTS	CONTAINMENT / REMEDIATION MEASURES	ADAPTIVE MANAGEMENT MEASURES	CONTINGENCY PLANS	
Triggers	PUBLIC SAFETY (Foreshore / Land Based areas and steep slopes)	Normal No impact	Monitoring as per SM Program and Public Safety MP				
		Trigger Level 1 Subsidence parameters exceeded such that Fassifern workings indicated to have potential impact on foreshore / land based areas	Increase visual inspection of foreshore to daily until public safety risk quantified as low Inspect Foreshore / Land Based areas in vicinity of steep slopes and retaining walls for signs of movement ASAP. Implement TARP as required.		Review potential of flooding and drainage impacts about foreshore or Land Based areas or stability concerns at steep slopes/ retaining walls. Undertake appropriate risk assessments		
		Trigger Level 2 Area around foreshore or other land based areas becomes unstable or shows signs of mining induced impact Flooding or drainage impacts considered likely as result of Fassifern extraction	Visual inspections frequency to be commensurate with level of risk (ie increase until controls put in place) Inspect Foreshore / Land Based areas in vicinity of other steep slopes and retaining walls for signs of movement ASAP. Implement TARP as required.	Cease extraction in panel in question until review conducted in consultation with DPIE and RR Immediately implement temporary safety controls (barricades and signage available from mine site). Arrange for assistance and stay at site if immediate risk to public exists Inform ECC as to result of inspection Geotechnical Engineer to inspect area immediately. Notify LMCC and Transport for NSW Notify BCD, DPIE and RR	Implement longer term safety controls	Foreshore / Land based area stabilisation of unsafe areas in consultation with LMCC/CC Council and RR as soon as possible Flooding and drainage rectification works in consultation with infrastructure owner as soon as possible	
		BENTHIC COMMUNITIES	Normal ANOVA/ANOSIM >5%	Monitoring as per Benthic MP			
	Trigger Level 1 ANOVA/ANOSIM level is approaching 5%	Liaise with monitoring consultant & undertake internal review to determine if impacts are related to mining Arrange a peer review of the monitoring results and statistical analysis					
	Trigger Level 2 ANOVA/ANOSIM <5%	Undertake follow up monitoring at affected sites to obtain confirmation of impacts. Incident Report to be completed and distributed to relevant agencies	Notify DPIE-Fisheries, LMCC and DPIE Notify immediately DPIE if incident and within 7 days for non-compliance	Consult with relevant authorities about monitoring and management controls	Consult with relevant authorities to identify if offsets are required and how these are to be implemented.		
	SEAGRASS	Normal Negligible impact	Monitoring as per Seagrass MP				
		Trigger Level 1 Approaching 20% decline in condition Approaching 20mm of additional mine induced subsidence within mapped seagrass	Liaise with monitoring consultant & undertake internal review to determine if impacts are related to mining		Review if variation is within broader background variation range for the site.		
		Trigger Level 2 >20% decline in conditions from year baseline survey >150mm of additional mine induced subsidence at survey location	Incident Report to be completed and distributed to relevant agencies	Notify immediately DPIE if incident and within 7 days for non-compliance Notify DPIE-Fisheries and LMCC	Consult with relevant authorities about monitoring and management controls	Consult with relevant authorities to identify if offsets are required and how these are to be implemented.	
	THREATENED SPECIES AND ENDANGERED POPULATIONS	Normal Negligible environmental consequences	Monitoring as per Subsidence Monitoring Program, Benthic Communities Management Plan and Seagrass Management Plan				
		Trigger Level 1 As per Seagrass and Benthic Community Management Plans Monitoring Level 1 triggers	Liaise with monitoring consultant & undertake internal review to determine if impacts are related to mining and greater than negligible environmental consequences.		Review if variation is within broader background variation range for the site.		
		Trigger Level 2 As per Seagrass and Benthic Community Management Plans Monitoring Level 2 triggers >780mm subsidence	Incident Report to be completed and distributed to relevant agencies	Notify immediately DPIE if incident and within 7 days for non-compliance Notify DPIE-Fisheries and LMCC	Initiate ecological monitoring program to assess the impacts to ecological communities and threatened species. Consult with relevant authorities about monitoring and management controls	Consult with relevant authorities to identify if offsets or rehabilitation is required and how this is to be implemented.	
	WATER INFLOW	Ongoing monitoring of water inflows and site water management through operational Water Management and Monitoring TARP process					

		Revision 4 - 10/08/2021
		CHAIN VALLEY COLLIERY- SUBSIDENCE MANAGEMENT TRIGGER ACTION RESPONSE PLAN (TARP 00136) SUBSIDENCE MANAGEMENT NORTHERN MINING AREA DOMAIN (S5 and Northern Pillar Area)
Responsibilities	Environment Compliance Coordinator	Coordinate and undertake all environmental monitoring as outlined in TARP Implement TARP actions in consultation with regulatory agencies as/ff required Notify the relevant Government agencies and other affected parties of exceedance of performance measures Coordinate Subsidence Review as a part of Annual Environmental Reporting Arrange for subsidence prediction and impact updates as required Update Extraction Plan as required Audit public safety controls regularly
	Mine Surveyor	Coordinate subsidence monitoring as outlined in TARP Review subsidence monitoring results against TARP triggers Inform relevant stakeholders as to subsidence monitoring trends and exceedances
	Mine Manager	Ensure adequate financial and personnel resources are made available for implementation of this plan Review and approve required mine plan changes



Appendix 6: Complaints & Incidents Register

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 76 of 79

Date	Nature of Complaint/Incident	Complaint/Incident Details	Action Taken
Wednesday 26 March	Exceedance of EPL depositional dust limit at DDG002.	There was an exceedance to the maximum total increase in deposited dust level (increase greater than 2 g/m ² /month) at DDG002 for the sampling period between 3 February 2025 and 5 March 2025. The monthly depositional dust level increased from 0.9 g/m ² /month to 3.9 g/m ² /month.	<p>The testing laboratory (ALS Environmental Pty Ltd) reported that the deposition comprised the following:</p> <ul style="list-style-type: none"> • Total insoluble matter – 3.9 g/m²/month • Combustible matter – 0.6 g/m²/month • Ash content – 3.3 g/m²/month <p>Site operations were typical during the monitoring period. It is noted that CVC does not undertake coal handling on-site with potential dust generation predominately due to traffic on unsealed haul roads. Throughout the monitoring period watercart operations were undertaken on haul roads as is usual for the site. The incident investigation did not attribute the exceedance to site operations.</p> <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).</p>
Sunday, 27 April 2025	Exceedance of EPL total suspended solids limit in EPA Point 27 discharge sampling	Sampling on 27 April 2025 recorded a concentration of total suspended solids of 109 mg/L, with EPL 1770 stipulating a 50 mg/L limit. Point 27 is a highflow spillway. The exceedance occurred a high intensity rainfall event.	<p>The incident is not considered to have caused material harm or loss to the environment as</p> <ul style="list-style-type: none"> • No impact was observed that was considered to result in actual or potential harm to health or safety of human beings or ecosystems. • No impact requiring remedial action or clean-up was required for the event. • No loss or property damage was observed. <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI) and NSW Environmental Protection Authority.</p> <p>Actions from the incident include:</p> <ul style="list-style-type: none"> • Desilting of the initial settling dam in 2025. • Install a additional silt curtain

Date	Nature of Complaint/Incident	Complaint/Incident Details	Action Taken
Tuesday, 6 May 2025	Exceedance of EPL depositional dust limit at DDG004.	There was an exceedance to the maximum total increase in deposited dust level (increase greater than 2 g/m ² /month) at DDG004 for the sampling period between 5 March 2025 and 4 April 2025. The monthly depositional dust level increased from 3.8 g/m ² /month to 7.4 g/m ² /month.	<p>The testing laboratory (ALS Environmental Pty Ltd) reported that the deposition comprised the following: Total insoluble matter – 7.4 g/m²/month</p> <ul style="list-style-type: none"> • Combustible matter – 5.0 g/m²/month • Ash content – 2.4 g/m²/month <p>Site operations were typical during the monitoring period. It is noted that CVC does not undertake coal handling on-site with potential dust generation predominately due to traffic on unsealed haul roads. Throughout the monitoring period watercart operations were undertaken on haul roads as is usual for the site. The incident investigation did not attribute the exceedance to site operations.</p> <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).</p>
Sunday, 18 May 2025	Exceedance of EPL Total suspended solids limit in EPA Point 27 discharge sampling	Sampling on 18 May 2025 recorded a concentration of total suspended solids of 206 mg/L, with EPL 1770 stipulating a 50 mg/L limit. Point 27 is a highflow spillway. The exceedance occurred a high intensity rainfall event.	<p>The incident is not considered to have caused material harm or loss to the environment as</p> <ul style="list-style-type: none"> • No impact was observed that was considered to result in actual or potential harm to health or safety of human beings or ecosystems. • No impact requiring remedial action or clean-up was required for the event. • No loss or property damage was observed. <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI) and NSW Environmental Protection Authority.</p>
Thursday, 5 June 2025	Exceedance of LAeq (15 min) noise limit at R22 monitoring location	Noise monitoring at R22 for the Q2 noise monitoring period identified a LAeq (15 min) result of 46-47 dB(A), with a limit imposed at the location of 46 dB(A).	<p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI) and NSW Environmental Protection Authority.</p> <p>Follow-up monitoring was undertaken on 12 June 2025 at R22 during similar noise enhancing meteorological conditions. The follow up monitoring recorded 46dB(A) .</p>

Date	Nature of Complaint/Incident	Complaint/Incident Details	Action Taken
Tuesday, 22 July 2025	Exceedance of EPL depositional dust limit at DDG002.	There was an exceedance to the maximum total increase in deposited dust level (increase greater than 2 g/m ² /month) at DDG002 for the sampling period between 5 June 2025 and 7 July 2025. The monthly depositional dust level increased from 0.2 g/m ² /month to 12 g/m ² /month.	<p>The testing laboratory (ALS Environmental Pty Ltd) reported that the deposition comprised the following:</p> <ul style="list-style-type: none"> Total insoluble matter – 12 g/m²/month • Combustible matter – 0.5 g/m²/month • Ash content – 11.5 g/m²/month <p>Site operations were typical during the monitoring period. It is noted that CVC does not undertake coal handling on-site with potential dust generation predominately due to traffic on unsealed haul roads. Throughout the monitoring period watercart operations were undertaken on haul roads as is usual for the site. The incident investigation did not attribute the exceedance to site operations.</p> <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).</p>
Thursday, 25 September 2025	Exceedance of EPL depositional dust limit at DDG004.	There was an exceedance to the maximum total increase in deposited dust level (increase greater than 2 g/m ² /month) at DDG004 for the sampling period between 7 August 2025 and 5 September 2025. The monthly depositional dust level increased from 0.6 g/m ² /month to 23.2 g/m ² /month.	<p>The testing laboratory (ALS Environmental Pty Ltd) reported that the deposition comprised the following:</p> <ul style="list-style-type: none"> Total insoluble matter – 23.2 g/m²/month • Combustible matter – 2.2 g/m²/month • Ash content – 21 g/m²/month <p>Site operations were typical during the monitoring period. It is noted that CVC does not undertake coal handling on-site with potential dust generation predominately due to traffic on unsealed haul roads. Throughout the monitoring period watercart operations were undertaken on haul roads as is usual for the site. The incident investigation did not attribute the exceedance to site operations.</p> <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).</p>

Date	Nature of Complaint/Incident	Complaint/Incident Details	Action Taken
Wednesday, 5 November 2025	Exceedance of EPL depositional dust limit at DDG004.	There was an exceedance to the maximum total increase in deposited dust level (increase greater than 2 g/m ² /month) at DDG004 for the sampling period between 7 August 2025 and 5 September 2025. The monthly depositional dust level increased from 0.6 g/m ² /month to 23.2 g/m ² /month.	<p>The testing laboratory (ALS Environmental Pty Ltd) reported that the deposition comprised the following: Total insoluble matter – 24.4 g/m²/month</p> <ul style="list-style-type: none"> • Combustible matter – 1.4 g/m²/month • Ash content – 23 g/m²/month <p>Site operations were typical during the monitoring period. It is noted that CVC does not undertake coal handling on-site with potential dust generation predominately due to traffic on unsealed haul roads. Throughout the monitoring period watercart operations were undertaken on haul roads as is usual for the site. The incident investigation did not attribute the exceedance to site operations.</p> <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).</p>
Tuesday, 25 November 2025	Exceedance of EPL Total suspended solids limit in EPA Point 1 discharge sampling.	Sampling on 25 November 2025 recorded a concentration of total suspended solids of 91 mg/L, with EPL 1770 stipulating a 50 mg/L limit.	The exceedance was reported on Tuesday 2 December 2025 to the NSW Department of Planning, Housing and Infrastructure (DPHI) and NSW Environmental Protection Authority.
Tuesday, 9 December 2025	Exceedance of 24-hour average PM10 limit.	Exceedance of 24-hour average PM10 limit at the Chain Valley TEOM (Point 25) during a regional air quality event due to bushfires. The 24-hour average was 59.38 µg/m ³ against the limit of 50 µg/m ³ .	The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI) and NSW Environmental Protection Authority.
Tuesday, 9 December 2025	Exceedance of 24-hour average PM2.6 limit.	Exceedance of 24-hour average PM2.5 limit at the Wye PM2.5 monitor (RTD002) during a regional air quality event due to bushfires. The 24-hour average was 27.9 µg/m ³ against the limit of 25 µg/m ³ .	The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).
Tuesday, 16 December 2025	Review of management plans by required date.	Following the submission of the Independent Environmental Audit. A review of the suitability of existing strategies, plans and programs is required within three months, this was not completed due to unforeseen circumstances.	<p>The non-compliance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).</p> <p>Review is now required by 30 March 2026.</p>
Friday, 19 December 2025	Exceedance of annual average depositional dust limit at DDG004.	There was an exceedance to the annual average depositional dust level (increase greater than 4 g/m ² /month annual average). The annual average value of insoluble matter recorded for DDG004 for the period of 2 December 2024 to 5 December 2025 was 5.79 g/m ² /month.	<p>For the 2025 period depositional dust gauge, DDG004, was considered to have been frequently exposed to contamination unrelated to CVCs mining activities</p> <p>The exceedance was reported to the NSW Department of Planning, Housing and Infrastructure (DPHI).</p>



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendix 7: Mannering Colliery Independent Environmental Audit

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 77 of 79

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MP06_0311 Independent Environmental Audit 2025

Mannering Colliery

Delta Power & Energy (Chain Valley) Pty Ltd

Revision 0

2 July 2025



Document version history

Version	Date	Revision description	Author
A	26 May 2025	Draft 2025 Independent Environmental Audit	Elliot Holland – Lead Auditor Kurt Speirs – Auditor Gemma van Hemert – Assistant Auditor
0	2 July 2025	Final 2025 Independent Environmental Audit	Elliot Holland – Lead Auditor Kurt Speirs – Auditor Gemma van Hemert – Assistant Auditor

Abbreviations

Abbreviation	Definition
APZ	asset protection zones
AQGHG MP	Air Quality and Greenhouse Gas Management Plan
BCS	Biodiversity Conservation and Science
CA	corrective action
CCC	Community Consultative Committee
CC Council	Central Coast Council
CVC	Chain Valley Colliery
DCCEEW	NSW Department of Climate Change Energy the Environment and Water
DPE	the former Department of Planning, Industry and the Environment
DPIE	the former Department of Planning and the Environment
DPIRD	NSW Department of Primary Industries and Regional Development
DPHI	NSW Department of Planning, Housing and Industry
EMS	Environmental Management Strategy
EPL	environment protection license
HMP	Heritage Management Plan
IEA	independent environmental audit
LDP	licensed discharge point
LMC	Lake Macquarie Council
LMP	Land Management Plan
MC	Mannering Colliery
ML	mining lease
Mtpa	million tonnes per annum
NC	non-compliance
NMP	Noise Management Plan
NSW RR	New South Wales Resources Regulator
OFI	opportunity for improvement
RAP	registered Aboriginal Party
RMP	Rehabilitation Management Plan
ROM	run of mine
VPPS	Vales Point Power Station
WMP	Water Management Plan

Executive summary

Onward Consulting Pty Ltd (Onward) was engaged by Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal) to conduct an Independent Environmental Audit (IEA) of Mannering Colliery (MC), an existing underground coal mine. MC is located on the southern end of Lake Macquarie approximately 60 km south of Newcastle, 80 km north of Sydney.

The IEA was undertaken in accordance with the requirements of:

- AS/NZS ISO 19011:2019 Guidelines for quality and / or environmental management systems auditing
- Schedule 5, Conditions 8 and 9 of MP06_0311
- the Independent Audit Post Approval Requirements (DPIE, 2020)

The audit period to which this audit applies is inclusive of the period from 12 April 2022 to 16 April 2025. This report presents the findings of this audit.

The audit team consisted of:

- Lead Auditor – Elliot Holland of Onward
- Auditor – Kurt Speirs
- Assistant Auditor – Gemma van Hemert

The audit was inclusive of the following:

- a single day site inspection at MC on 16 April 2025, which included interviews with key site personnel, of all key aspects of the development (Section 1 and Appendix G of this IEA report)
- consultation with regulatory agencies and the chair of the Community Consultative Committee (CCC) to obtain feedback and identification of any key issues to focus on during the audit (Section 2.3 and Appendix C of this IEA report)
- the status of implementation of the previous IEA findings, recommendations and actions (Section 3.1, Appendix D of this IEA report)
- an assessment of compliance against all conditions:
 - MP06_0311 (Section 3.3.1 and Appendix D of this IEA report)
 - Environmental Protection Licence (EPL) 191 (Section 3.3.2 and Appendix E of this IEA report)
 - Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) (Section 3.3.3 and Appendix F of this IEA report)
- a review of the adequacy of the environmental management strategies, plans and programs required under the consent (Section 3.4 of this IEA report)
- identification and discussion of complaints and incidents that occurred during the audit period (Section 3.5 of this IEA report)
- an assessment of the environmental performance of the development through review of the implementation of key environmental management strategies, plans and programs (Section 4 of this IEA)
- identification of the Corrective Actions (CAs) and / or Opportunities for Improvement (OFI) (Section 5 of this IEA)

Audit findings summary

The IEA identified a total of 16 non-compliances, however, overall compliance with conditions of relevant approvals, licences and leases was noted as high, as follows:

- MP06_0311: Compliance with approximately 83% of conditions (i.e. 38 of 46 conditions, excluding conditions which are notes or were not triggered) (Appendix D of this IEA report).
- EPL 191: Compliance with approximately 91% of conditions (i.e. 39 of 43 conditions, excluding conditions which are notes or were not triggered) (Appendix E of this IEA report).
- Relevant leases (Standard Conditions [Schedule 8A, Part 2] of the Mining Regulation 2016 [NSW]): Compliance with approximately 85% of conditions (i.e. 23 of 27 conditions) (Appendix F of this IEA report).

However, the IEA assessed a total of 16 non-compliances, as follows:

- MP06_0311, with more detail provided in Section 3.3.1 of this IEA report, non-compliances include:
 - **NC01** (Schedule 2, Condition 2)
 - **NC02** (Schedule 3, Condition 2)
 - **NC03** (Schedule 3, Condition 6)
 - **NC04** (Schedule 3, Condition 12)
 - **NC05** (Schedule 3, Condition 16)
 - **NC06** (Schedule 5, Condition 3)
 - **NC07** (Schedule 5, Condition 5)
 - **NC08** (Schedule 5, Condition 13)
- EPL 191, with more detail provided in Section 3.3.2 of this IEA report, non-compliances include:
 - **NC09** (Condition L1.1)
 - **NC10** (Condition L2.4)
 - **NC11** (Condition L3.1)
 - **NC12** (Condition O1.1)
 - **NC13** (Condition M1.3)
- Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW), with more detail provided in Section 3.3.3.1 of this IEA report, non-compliances include:
 - **NC14** (Condition 11)
 - **NC15** (Condition 15[1])
 - **NC16** (Condition 15[2])
 - **NC17** (Condition 19[2])

Associated CAs and OFIs are included in Section 5 of this IEA report, as relevant.

Executive Summary Table Non-compliance summary

Finding ID	Non-compliance	Source	Condition	Risk rating
NC01	This is a non-compliance in relation to the other nine non-compliances against relevant conditions of consent. These include Schedule 3, Condition 2, 6, 11, 12, and 16; and Schedule 5, Conditions 3, 5 and 13	MP06_0311	Schedule 2, Condition 2	Low
NC02	A 1 dB(A) exceedance of noise criteria at monitoring location RA2 was recorded on 15 December 2022.		Schedule 3, Condition 2	Low

Finding ID	Non-compliance	Source	Condition	Risk rating
NC03	There were five exceedances in relation to EPL criteria for discharge during the audit period, resulting in a non-compliance, with two related to exceedance of the daily discharge limit and three related exceedance of water quality criteria for TSS.		Schedule 3, Condition 6	Low
NC04	There is no presentation of baseline data for groundwater quality, constituting an ANC with Schedule 3, Condition 12(a).		Schedule 3, Condition 12	ANC
NC05	During the audit period, there were two non-compliances recorded against depositional dust criteria.		Schedule 3, Condition 16	Low
NC06	There is no presentation of baseline data for groundwater quality, constituting a non-compliance (ANC) with Schedule 5, Condition 3(a).			
NC07	The audit was able to verify review of strategies, plans and/or programs in accordance with Schedule 5, Condition 5 where reviews resulted in updates. However, the audit was unable to confirm reviews of strategies, plans and/or programs were undertaken in accordance with Schedule 5, Condition 5 where reviews determined updates were not required. As such, the audit was unable to confirm compliance with the requirements of Schedule 5, Condition 5.		Schedule 5, Condition 5	ANC
NC08	Delta Coal is generally compliant with the requirements of this condition; however, the EA for Modification 4 is not available on the Project website. This has resulted in a non-compliance with Schedule 5, Condition 13(a), which required 'the documents referred to in condition 2(e) of Schedule 2 of this consent' to be available on the Project website.		Schedule 5, Condition 13	ANC
NC09	There were three exceedances in relation to EPL criteria under Condition L2.4 of EPL 191 during the audit period. These exceedances of TSS are considered to meet the definition of water pollution, as defined in Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (NSW).	EPL 191	L1.1	Low
NC10	Refer to discussion regarding non-compliance with Condition L1.1		L2.4	Low
NC11	There were two exceedances in relation to EPL criteria for discharge during the audit period, resulting in a non-compliance (low risk).		L3.1	Low
NC12	During the site inspection it was sighted that oil drums were stored in banded areas; however in the warehouse a number of drums were stacked on top of each other. These drums were inappropriately stored and were not compliant with the Australian Standards AS 1940-2004: The storage and handling of flammable and combustible liquids, constituting a non-compliance with Condition O1.1.		O1.1	Low
NC13	The sample receipts largely had the information required to satisfy the requirements of this condition, except for the sample records for the incident regarding TSS exceedance in May 2024, with the sample dated 9 May 2024 not identifying the sampler. Therefore, an ANC has been identified.		M1.3	ANC
NC14	Review of the RMP indicates this requirement is generally addressed; however, the Approved Rehabilitation Objectives Statement is dated 20 November 2023, with the RMP not revised until 15 January 2024, which is more than 30 days after approval of the Rehabilitation Objectives Statement. Therefore, this has resulted in an ANC.	Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016	Division 3, Condition 11	ANC
NC15	With consideration to the definition of 'initial period' defined in Condition 15(8), the RMP, rehabilitation outcome documents and forward program were required within 30 days of 2 July 2022 (i.e. by 30 July 2022). The Forward Program Thursday 7 July 2022 to Sunday 6 July 2025 was not submitted until 23 January 2023, resulting in an administrative non-compliance; however, as the initial period will no longer be relevant going forward, no CA or OFI has been deemed relevant.		Division 3, Condition 15(1)	ANC
NC16	Review of relevant documentation indicates general compliance with the requirements of this condition; however, the Annual Rehabilitation Report and Forward Program for 7 July 2022 to 6 July 2023 was not submitted until 12 September 2023, which is more than 60 days after the last day of the annual reporting period. Therefore, this has resulted in an ANC.		Division 3, Condition 15(2)	ANC

Finding ID	Non-compliance	Source	Condition	Risk rating
NC17	A review of the email correspondence between NSW Resources Regulator and Delta Coal, confirms that written notice was provided. However, the notice was required to be provided within 28 days of 2 July 2022 (i.e. 29 July 2022) and was not provided until 10 August 2022. Therefore, an ANC has been identified.		Division 3, Condition 19(2)	ANC

Furthermore, 3 of the 16 above non-compliances were already identified in the Annual Reviews required by conditions of SSD-6764 and Annual Returns required by conditions of EPL 12425, including:

- MP06_0311: **NC02** (Schedule 3, Condition 2) and **NC05** (Schedule 3, Condition 16)
- EPL191: **NC09** (Condition L2.4)

Non-compliances were identified against relevant approvals are discussed in Section 3.3, Appendix D (i.e. MP06_0311), Appendix E (i.e. EPL 191) and Appendix F (i.e. Standard Conditions [Schedule 8A, Part 2] of the Mining Regulation 2016).

A summary of MC's overall environmental performance is summarised in Section 4 of this IEA report, and CAs or OFIs are summarised in Section 5 of this IEA report.

Audit conclusion

With regard to environmental management of MC, this site is led by competent and knowledgeable environmental professionals who provided all evidence requested during the audit and diligently facilitated the site inspection component of the audit.

The environment team has implemented appropriate management processes for MC to ensure compliance is achieved and has demonstrated active adaptive management. This approach is complemented by the established systems which include corporate systems such as Pulse and internal site-specific measures.

MC staff were transparent with the provision of information and open to receiving feedback and discussing contemporary with the audit team.

Contents

Abbreviations	2
Executive summary	3
1. Introduction	1
1.1. Background of the project	1
1.1.1. Department of Planning, Housing and Infrastructure endorsement	1
1.1.2. Period covered by the audit	1
1.2. Site description	2
1.3. Audit objective and scope	2
1.3.1. Objective	2
1.3.2. Scope	3
1.4. Audit commencement	4
1.5. Limitations	4
2. Audit methodology	5
2.1. Audit participants	5
2.2. Audit site inspection	5
2.2.1. Opening and closing meetings	5
2.2.2. Audit interviews	5
2.2.3. Site inspection	6
2.3. Agency / stakeholder consultation	6
2.4. Audit definitions	8
Compliant	8
Non-compliant	8
Not triggered	8
Note	8
Corrective action (CA)	8
Opportunity for improvement (OFI)	8
3. Audit findings	1
3.1. Previous independent audit and status	1
3.2. Summary of agency notices, orders, and penalties	1
3.3. Summary of non-compliances	1
3.3.1. MP06_0311	1
3.3.2. EPL 191	4

3.3.3. Leases	6
3.4. Adequacy of any strategies / plans, programs and compliance documents	1
3.4.1. Environmental Management Strategy	1
3.4.2. Rehabilitation Management Plan	1
3.4.3. Water Management Plan.....	2
3.4.4. Air Quality and Greenhouse Gas Management Plan	2
3.4.5. Noise Management Plan	3
3.4.6. Land Management Plan	3
3.4.7. Heritage Management Plan.....	4
3.5. Complaints and reportable incidents.....	4
3.5.1. Complaints.....	4
3.5.2. Reportable incidents under the Protection of the Environment Operations Act 1997	5
4. Environmental performance	6
4.1. General environmental management.....	6
4.2. Rehabilitation.....	6
4.2.1. Progressive rehabilitation	6
4.2.2. Rehabilitation design	7
4.2.3. Rehabilitation management monitoring.....	7
4.3. Water management.....	7
4.3.1. Water supply and water balance	7
4.3.2. Compensatory water supply	8
4.3.3. Water discharge and monitoring	8
4.3.4. Performance measures	9
4.4. Air quality.....	9
4.5. Noise management	10
4.6. Blasting.....	11
4.7. Heritage.....	11
4.7.1. Aboriginal cultural heritage.....	11
4.7.2. Historic heritage.....	11
4.8. Biodiversity	12
4.9. Social impact.....	12
4.10. Bushfire management	12
4.11. Waste management	13
4.12. Visual amenity and lighting impacts	13
5. Corrective actions and opportunities for improvement	14

5.1. Corrective actions	14
5.2. Opportunities for improvement.....	14

Appendices

Appendix A	DPHI audit team endorsement
Appendix B	Independent audit declaration forms
Appendix C	Agency consultation
Appendix D	MP06_0311
Appendix E	EPL 191
Appendix F	Standard conditions (Schedule 8A, Part 2) Mining Regulation 2016
Appendix G	Site inspection photos

Tables

Table 1.1	Audit requirements	2
Table 1.2	Approvals audited	3
Table 1.3	Management plans evaluated	3
Table 2.1	Audit participants.....	5
Table 2.2	Agency and administrative organisation IEA requirements	7
Table 2.3	Risk ratings for non-compliances	8
Table 3.1	Status of 2022 IEA findings / recommendations	1
Table 3.2	Project approval MP06_0311 non-compliances	1
Table 3.3	EPL 191 non-compliances	4
Table 3.4	Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 non-compliances	6
Table 5.1	Corrective actions identified during the audit	14
Table 5.2	Opportunities for improvement identified	14

1. Introduction

1.1. Background of the project

Manning Colliery (MC) is an underground coal mine located on the southern side of Lake Macquarie approximately 60 km south of Newcastle and 80 km north of Sydney. The pit-top is located 3 km south of the township of Manning Park at the southern extent of Lake Macquarie.

Development of MC (initially known as Wyee Mine) began in 1960 in conjunction with the construction of Vales Point Power Station (VPPS) and was operated by Powercoal Pty Ltd. Production commenced in 1961 with extensive mining (first workings and secondary extraction) having taken place in both the Great Northern and Fassifern Seams. Coal operations temporarily ceased on 30 June 2002 when the operation was placed on care and maintenance.

Centennial Coal (Centennial) acquired control of the Powercoal assets on 7 August 2002 and MC remained in care and maintenance. Wyee Mine was renamed MC and production was recommenced in December 2005, mining the Fassifern Seam to gain access to greater than 5 million tonnes (Mt) of recoverable reserves beneath Lake Macquarie and surrounding lands.

MC was once again placed on care and maintenance in November 2012. In 2013, the owners of Manning and Chain Valley Colliery (CVC) entered into an agreement with Centennial which enabled LakeCoal to operate Manning until 2022, with LakeCoal becoming the operator of MC on 17 October 2013. The underground link road between CVC and Manning was completed in October 2017. As of 1 April 2019, Delta Power & Energy (Chain Valley) Pty Ltd (trading as Delta Coal) own and operate CVC and MC. During the audit period, mining was undertaken at CVC only, with coal being transported underground to the MC coal handling and preparation plant (CHPP) where the coal is sized and screened, then sent directly to VPPS.

As required by Schedule 6, Condition 9 of the Project Approval (i.e. MP06_0311), Delta Coal is required to complete an independent environmental audit (IEA) for every three years.

1.1.1. Department of Planning, Housing and Infrastructure endorsement

Delta Coal engaged Onward Consulting Pty Ltd (Onward) to conduct the IEA with the following Audit Team:

- Lead Auditor – Elliot Holland of Onward
- Auditor – Kurt Speirs of Onward
- Assistant auditor – Gemma van Hemert of Onward

The Department of Planning, Housing and Infrastructure (DPHI) endorsed the appointment of the Audit Team on 5 February 2025. The letter of endorsement is included in Appendix A and requiring the IEA to be submitted to the Planning Secretary of the DPHI within 12 weeks of the date of the site inspection.

1.1.2. Period covered by the audit

The audit period is from 3 May 2022 (the day of the site inspection for the 2022 IEA completed by GHD Pty Ltd) to 16 April 2025 (the day of the site inspection for the 2025 IEA).

1.2. Site description

MC was granted MP06_0311 on 12 March 2008, which has since had five modifications, including:

- Modification 1 (approved 25 October 2012) enabling extension of the underground mining operations within the Fassifern Seam and into the Great Northern Seam.
- Modification 2 (approved 27 November 2014) enabling construction of an underground linkage with CVC for run-of-mine (ROM) coal transportation.
- Modification 3 (approved 16 December 2015) enabling an increase in ROM coal handling and extension to life of MP06_0311.
- Modification 4 (approved 18 August 2016) enabling use of the rotary breaker.
- Modification 5 (approved 26 June 2020) enabling an increase in ROM coal handling up to the approved extraction limit at CVC, extension to life of MP06_0311, and change in mining method.

All coal processed at MC is transported via a conveyor system to the surface and dedicated overland conveyor to VPPS for domestic energy generation.

As previously mentioned, aside from the processing of coal from CVC at the CHPP and transport to VPSS via the conveyor system, MC is in a state of care and maintenance.

Delta Power & Energy (Vales Point) Pty Ltd (trading as 'Delta Electricity') who own and operate the VPSS is the major landholder in the area, owning operational land of both Chain Valley Colliery and Mannering Colliery, with the exclusion of the CVC ventilation fan site at Summerland Point.

1.3. Audit objective and scope

1.3.1. Objective

Onward was commissioned to undertake an IEA of MC on behalf of Delta Coal. The primary purpose of this IEA was to satisfy the Schedule 5, Conditions 9 and 10 of MP06_0311, which requires completion of an IEA every three years (Table 1.1).

Table 1.1 Audit requirements

Condition	Requirement	Reference to report section
Schedule 5, Condition 9	By the end of March 2013 and every three years thereafter, unless the Secretary directs otherwise, the Proponent must commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:	
(a)	be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	Section 2.1 Appendix A Appendix B
(b)	include consultation with the relevant agencies;	Section 2.3 Appendix C
(c)	assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);	Sections 3 and 4 Appendix D Appendix E Appendix F
(d)	review the adequacy of any approved strategy/plan/program required under this approval: and, if necessary;	Section 3.4
(e)	recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, strategy/plan/program required under the abovementioned approvals; and	Section 5

Condition	Requirement	Reference to report section
(f)	be conducted and reported to the satisfaction of the Secretary.	Outside the audit process
Schedule 5, Condition 9	Within 12 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Outside the audit process

1.3.2. Scope

The audit considered compliance with conditions of relevant approvals, licences and leases listed in Table 1.2, and was conducted in accordance with:

- AS/NZS ISO 19011:2019 Guidelines for quality and / or environmental management systems auditing
- Schedule 6, Condition 9 of MP06_0311
- the Independent Audit Post Approval Requirements (DPIE, 2020)

Table 1.2 Approvals audited

Approval document	Relevant section reference
MP6_0311	Section 3.3.1 and Appendix D
Environment Protection Licence (EPL) 191	Section 3.3.2 and Appendix E
Mining leases	N/A – All mining leases were transferred to CVC in 2022 and registered under Chain Valley Colliery Holding.
Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 ¹	Section 3.3.3.1 and Appendix F

1) Conditions applicable from 1 July 2022.

Relevant evidence to determine the compliance ratings against the conditions is presented in Appendix D, and Appendix E, Appendix F. This included relevant management plans required by conditions of MP06_0311 as listed in Table 1.3.

Table 1.3 Management plans evaluated

Management plan	Version and date	Section reference
Delta Coal Environmental Management Strategy (EMS)	Revision 4 1 July 2024	Section 3.4.1, and Appendix D
Delta Coal Rehabilitation Management Plan (RMP)	Revision 2 15 January 2025	Section 3.4.2, Appendix D, and Appendix F
Water Management Plan (WMP)	Revision 7 24 November 2022	Section 3.4.3, Appendix D, and Appendix E
Delta Coal Air Quality and Greenhouse Gas Management Plan (AQGHGMP)	Revision 5 12 January 2024	Section 3.4.4, Appendix D, and Appendix E
Delta Coal Noise Management Plan (NMP)	Revision 1 20 April 2022	Section 3.4.5, Appendix D, and Appendix E
Land Management Plan (LMP)	Revision 1 26 April 2016	Section 3.4.6, and Appendix D
Delta Coal Heritage Management Plan (HMP)	Revision 5 27 September 2023	Section 3.4.7, and Appendix D

1.4. Audit commencement

The inception meeting was held between Onward and Delta Coal on 17 February 2025 to:

- confirm the audit methodology
- identify relevant personnel involved in the audit
- discuss key activities and systems occurring on site
- identify key documentation for review
- schedule a date for the site inspection

1.5. Limitations

This audit report has been prepared by Onward for Delta Coal and may only be used and relied on by Delta Coal for the purpose agreed between Onward and Delta Coal as set out in Section 1.3 of this report.

Onward otherwise disclaims responsibility to any person other than Delta Coal arising in connection with this report. Onward also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by Onward in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out Section 1.3.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. Onward has no responsibility or obligation to update this report to account for events or changes occurring after the date that the report was prepared.

2. Audit methodology

A desktop review of all approval documents including management plans, as well as monitoring data and community complaints was conducted to determine the contents of the audit protocol to be used during the site inspection and interviews. Evidence was collected and reviewed as part of the audit, including monitoring records, reports and correspondence.

Documents and data collected during the audit process were reviewed prior to the on-site component of the audit where possible. Additional documents were provided to the audit team during, and following completion of, the on-site component of the audit.

All information obtained during the audit process were verified by the audit team. Statements made by site personnel were verified by viewing relevant documentation and/or visual observations made during the site inspection. Audit findings have been outlined in this report including where suitable evidence was unable to be obtained.

2.1. Audit participants

The IEA was led by Elliot Holland, Lead Auditor – Environmental Management Systems (EMS) (C-115351) with the IEA participants listed in Table 2.1, which includes the audit team as approved by the DPHI (Appendix A), and relevant personnel of Delta Coal.

Table 2.1 Audit participants

Audit participants	Organisation	Role	Qualifications
Elliot Holland	Onward	Lead Auditor	Exemplar Global Lead Auditor – EMS Bachelor of Environmental Science and Management
Kurt Speirs	Onward	Auditor	Exemplar Global Lead Auditor – EMS and Work Health and Safety Bachelor of Environmental Science and Management
Gemma van Hemert	Onward	Assistant Auditor	Bachelor of Environmental Science and Management
Lachlan McWha	Delta Coal	Environmental Compliance & Approvals Coordinator	Bachelor of Science (Geophysics), Grad Cert. (Env Eng)

2.2. Audit site inspection

2.2.1. Opening and closing meetings

The opening and closing meetings were held at the CVC offices during the site inspection completed on Wednesday 16 April 2025.

The opening meeting discussed the audit objectives, scope, resources required and methodology to be applied, while the objectives of the closing meeting were to discuss any outstanding matters, present preliminary findings and outline the process for finalising the audit report.

2.2.2. Audit interviews

During the on-site component of the audit, interviews were conducted with the list of auditees included in Table 2.1.

2.2.3. Site inspection

A detailed site inspection was conducted on 16 April 2025.

During the inspection, site documentation and the physical aspects of environmental management and implementation of management plans and programs were reviewed.

Conditions during the site inspection were noted to be:

- up to 22.8 degrees Celsius
- winds up to 6.11 metres per second (m/s), predominantly from the west south west and south west
- mostly cloudy, with no rain during the site inspection or preceding 48 hours

The locations inspected during the site audit included:

- above ground tanks and bunding
- workshop, including hazardous and dangerous good storage areas
- oil/water separators
- silt traps / sumps
- meteorological station (EPL Point 8)
- coal stockpile area
- CHPP
- water storage and treatment dams (i.e. Pond 1, Pond 2, Pond 3, and Dam B)
- EPL Licensed Discharge Point 1 (LDP1), including water flow meter

2.3. Agency / stakeholder consultation

The audit team attempted consultation with the following agency and administrative organisations:

- DPHI Compliance
- NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW), including the following agencies/divisions:
 - Water Group
 - Conservation Programs, Heritage & Regulation (CPHR) Group, including the NSW Environment Protection Authority (EPA)
- NSW Resources Regulator
- NSW Department of Primary Industries and Regional Development (DPIRD)
- Central Coast Council (CC Council)
- Lake Macquarie City Council (LMCC)
- CVC and MC Community Consultative Committee (CCC) Chairperson

Responses were not received from NSW DCCEEW, DPIRD, CC Council, or LMCC.

Agency and administrative organisation responses to the IEA request for input are provided in Table 2.2 and Appendix C.

Table 2.2 Agency and administrative organisation IEA requirements

Auditor to consider	Responses and / or relevant section reference
DPHI Compliance	
Request for consultation with Lake Macquarie Council (ATT: Development Compliance Coordinator), Hunter Water (or equivalent), Subsidence Advisory NSW and Resource Regulator for comment.	See responses and section references in this table, as well as Appendix C.
No other comments or concerns identified.	N/A.
NSW DCCEEW – Water Group	
Requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope (i.e. requirements detailed in Section 1.3):	
<ul style="list-style-type: none"> • The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include: <ul style="list-style-type: none"> ◦ Water Management Plans and related sub-plans e.g., Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan. ◦ Extraction Plans and related sub-plans e.g., Water Management Plan, Subsidence Management Plan. 	Section 3.4
<ul style="list-style-type: none"> • The requirement to prepare and implement trigger action response plans (TARPs) for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting. 	Sections 3.3.1, 3.3.2, and 3.4
<ul style="list-style-type: none"> • Water supply availability is clearly defined for the project. 	Section 4.3.1
<ul style="list-style-type: none"> • Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence (WAL) or exemption under the Water Management (General) Regulation 2018. 	Section 4.3
<ul style="list-style-type: none"> • Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant. 	N/A
<ul style="list-style-type: none"> • Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from. 	Section 4.3
<ul style="list-style-type: none"> • Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated. 	Section 4.3
NSW DCCEEW – CPHR Group	
CPHR has considered your request and does not have any comments regarding the performance of the Chain Valley Colliery and Mannering Colliery from a biodiversity, stormwater, flood or coastal management perspective, relating to:	N/A.
<ul style="list-style-type: none"> • Conditions of SSD-5465 • Performance with other requirements or obligations • Incidents of non-compliance 	
NSW Resources Regulator	
The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.	Section 3.3 – Summary of non-compliances Section 3.3.3 – Leases Appendix F – Standard conditions (Schedule 8A, Part 2) Mining Regulation 2016
From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016.	
The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.	
NSW EPA	
No comments or concerns identified.	Appendix C
CCC Chair	
No comments or concerns identified.	Appendix C

2.4. Audit definitions

Audit reporting was undertaken generally in accordance with the requirements of the Independent Audit Post Approval Requirements (DPIE, 2020).

Compliant

The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.

Non-compliant

The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.

In addition, while not required by the Independent Audit Post Approval Requirements (DPIE, 2020), risk ratings have also been assigned for non-compliances as identified in Table 2.3.

Table 2.3 Risk ratings for non-compliances

Risk level	Colour code	Description
High		Non-compliance, with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium		Non-compliance, with: <ul style="list-style-type: none"> potential for serious environmental consequences, but is unlikely to occur; or potential for moderate environmental consequences but is likely to occur.
Low		Non-compliance, with: <ul style="list-style-type: none"> potential for moderate environmental consequences, but is unlikely to occur; or potential for low environmental consequences but is likely to occur.
Administrative (ANC)		Only applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

Not triggered

A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

Note

A statement or fact, where no assessment of compliance is required.

Corrective action (CA)

Is identified where there is an issue of compliance, and the action needs to be undertaken to close out the compliance issue.

Opportunity for improvement (OFI)

Has generally been identified where there is not an issue of compliance, but improvements could be made to enhance tracking of compliance.

3. Audit findings

3.1. Previous independent audit and status

Table 3.1 Status of 2022 IEA findings / recommendations

Condition	ID	2022 IEA finding / recommendation	2025 IEA finding	Status
EPL 191				
Corrective actions				
L1.1	1	Continue to undertake mitigation measures to comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> (POEO Act).	<p>Exceedance of water quality parameters occurred on three occasions during the audit period (i.e. 7 July 2022, 12 October 2022, and 3 May 2024), resulting in non-compliance with section 120 of the POEO Act. However, conduct of the audit determined, in response to these exceedances, Delta Coal demonstrated adaptive management and implemented appropriate mitigation and management measures, including:</p> <ul style="list-style-type: none"> • reviewing the site water balance • reviewing TARPs, including revision of the TARP controlling the underground mine dewatering (i.e. TARP 00089) to assist in maximising surge capacity during high rainfall events, resulting in reduction of the rainfall trigger level to cease dewatering (when deemed not to risk mine personnel safety) • undertaking investigations on methods to improve the pond flocculant system • inspecting and maintaining the clean water diversion system to ensure no additional load is placed on the surge capacity management • re-positioning the silt curtain to ensure full functionality <p>Therefore, CA1 and CA2 are considered closed.</p>	Closed
L2.4	2	Continue to undertake water quality monitoring. If a water quality exceedance is detected undertake measures to improve water quality	Refer to response to Condition L1.1.	Closed
O1.1	3	As bins are clearly labelled and adequate disposal facilities are available across the site, Delta Coal should investigate means to address the workforce culture in relation to inadequate disposal of waste that has persisted across this, and the previous, audit.	<p>Conduct of the audit determined Delta Coal has undertaken actions to improve waste management on site, including:</p> <ul style="list-style-type: none"> • clear labelling and adequate availability of waste disposal facilities • completion of training packages and toolbox talks on the importance of waste management <p>Therefore, CA3 is considered closed.</p>	Closed

Condition	ID	2022 IEA finding / recommendation	2025 IEA finding	Status
MP06_0311				
Corrective actions				
Schedule 2, Condition 16 Schedule 3, Conditions 11 & 12 Schedule 5, Conditions 3 & 5	4	To ensure compliance with relevant conditions of MP06_0311, undertake updates to the WMP to include: <ul style="list-style-type: none"> any relevant changes and requirements under modification 5 baseline data for surface water quality baseline data for groundwater quality 	Baseline data was not included as a condition for the original EA, and as such is not reasonable to address this retrospectively. Historical data has been provided for surface water in the appendix to WMP, in response to 2022 IEA finding. Therefore, CA4 remains relevant in relation to baseline data for groundwater and has been included as CA01 in Section 5.	Open
Schedule 3, Condition 16	5	Ensure that exceedances of criteria are reported.	Conduct of the audit has determined air quality exceedances have been reported as required. Therefore, CA5 is considered closed.	Closed
Schedule 3, Condition 17	6	Update the AQGHGMP to include TARPs.	The AQGHGMP was initially updated on 31 March 2023 to address CA6, with the most revision being Rev 5 (dated 12 January 2024) and a TARP now included as Appendix G. Therefore, CA6 is considered closed.	Closed
Schedule 5, Condition 8	7	Include historical trends in noise monitoring data in the annual review.	Review of Annual Reviews for the audit period verified historical trends in noise monitoring data is referenced in section 6.8, with data dating back to January 2020. Therefore, CA7 is considered closed.	Closed
Schedule 5, Condition 13	8	Ensure that incidents from May 2019 to December 2019 are included on the public complaints register.	Review of the complaints register indicates 32 incidents / complaints have been added to the register for the May-December 2019 period. Therefore, CA8 is considered closed.	Closed
Recommendations				
Schedule 3, Condition 14	1	Attach the Bushfire Management Plan to the LMP.	Conduct of the audit confirmed the LMP has been revised and submitted to the DPPI for approval; however, is not yet approved. While no Bushfire Management Plan is attached to the revised LMP, Section 4 of the LMP is considered to adequately address this Recommendation 1. Therefore, Recommendation 1 is considered closed.	Closed
Schedule 3, Condition 15	2	Whilst not a non-compliance, it is recommended that the revision date for Mine Operations Plan Amendment 2 Rehabilitation Management Plan 2020 – 2023 be included in the document, and the approval letter from Resources Regulator appended to Section 17.	Since the last IEA, Delta Coal has developed a new overarching RMP covering CVC and MC in accordance with the requirements of the <i>Mining Act 1992</i> (NSW) and the standard conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW), which replaced the Mining Operations Plan (MOP). The RMP satisfies the requirements of this condition. Therefore, Recommendation 2 is considered closed.	Closed
Schedule 3, Condition 22	3	It is recommended that the standard be reviewed as the review date was 24 April 2021.	An updated standard is now available, dated June 2022. Therefore, Recommendation 3 is considered closed.	Closed
Schedule 3, Condition 3C	4	The outcomes of the noise mitigation study currently being completed should be captured in a revised noise management plan and reflect any changes to monitoring, as relevant.	Not implemented; however, it is noted the Noise Mitigation Options Assessment relates to CVC and not MC. Therefore, this is discussed in the 2025 IEA for CVC and Recommendation 4 is considered closed.	Closed

3.2. Summary of agency notices, orders, and penalties

No agency notices, orders or penalties were issued to MC during the audit period.

3.3. Summary of non-compliances

The IEA noted that compliance with the conditions of the relevant approvals, licences and leases listed in Section 1.3.2 was high, as follows:

- **MP06_0311**: Compliance with approximately 83% of conditions (i.e. 38 of 46 conditions, excluding conditions which are notes or were not triggered) (Appendix D).
- **EPL 191**: Compliance with approximately 91% of conditions (i.e. 39 of 43 conditions) (Appendix E, excluding conditions which are notes or were not triggered).
- **Relevant leases** (Standard Conditions [Schedule 8A, Part 2] of the Mining Regulation 2016 [NSW]): Compliance with approximately 85% of conditions (i.e. 23 of 27 conditions) (Appendix F).

However, the IEA assessed a total of 18 non-compliances, as follows:

- **MP06_0311**, with more detail provided in Section 3.3.1, non-compliances include:
 - **NC01** (Schedule 2, Condition 2)
 - **NC02** (Schedule 3, Condition 2)
 - **NC03** (Schedule 3, Condition 6)
 - **NC04** (Schedule 3, Condition 12)
 - **NC05** (Schedule 3, Condition 16)
 - **NC06** (Schedule 5, Condition 5)
 - **NC07** (Schedule 5, Condition 5)
 - **NC08** (Schedule 5, Condition 13)
- **EPL 191**, with more detail provided in Section 3.3.2, non-compliances include:
 - **NC09** (Condition L1.1)
 - **NC10** (Condition L2.4)
 - **NC11** (Condition L3.1)
 - **NC12** (Condition O1.1)
 - **NC13** (Condition M1.3)
- **Standard Conditions** (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW), with more detail provided in Section 3.3.3.1, non-compliances include:
 - **NC14** (Condition 11)
 - **NC15** (Condition 15[1])
 - **NC16** (Condition 15[2])
 - **NC17** (Condition 19[2])

Associated CAs and OFIs are included in Section 5, as relevant.

3.3.1. MP06_0311

Table 3.2 Project approval MP06_0311 non-compliances

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC01	Schedule 2, Condition 2	The development may only be carried out: (a) in compliance with the conditions of this consent;...	This is a non-compliance in relation to the other eight non-compliances against relevant conditions of consent. These include: <ul style="list-style-type: none"> Schedule 3, Condition 2, 6, 11, 12, and 16 Schedule 5, Conditions 3, 5 and 13 	Low	N/A
NC02	Schedule 3, Condition 2	Except for the carrying out of construction works, the Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence a on privately-owned land.	A 1 dB(A) exceedance of noise criteria at monitoring location RA2 was recorded on 15 December 2022, adjacent Macquarie Shores Home Village. The exceedance persisted in noise enhancing meteorological conditions. Therefore, Delta Coal ceased operations until commencement of the day-time period, as defined in the Noise Policy for Industry (NSW EPA, 2017). Follow-up monitoring was undertaken on 16 December 2022 when operations recommenced, confirming that the noise exceedance was not ongoing. The exceedance was reported and investigated, with the exceedance identified as likely to have been associated with a change in the aperture sizing in the CHPP Crusher 2 screen deck. Therefore, Delta Coal replaced the screen deck with the original sized apertures, and follow-up monitoring indicated a 1-2dB decrease in noise emissions. As appropriate actions were taken, no CA or OFI is deemed relevant.	Low	N/A
NC03	Schedule 3, Condition 6	The Applicant must only discharge water from the site as expressly provided for by its EPL.	There were five exceedances in relation to EPL criteria for discharge during the audit period, resulting in a non-compliance (low risk). These are as follows: <ul style="list-style-type: none"> 5 July 2022: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 7,032 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> review of the site water balance and TARP reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management 7 July 2022: Delta Coal received water quality analytical results on 11 July 2022 for a sample collected on 7 July 2022, which identified an exceedance of the 50 mg/L limit for total suspended solids (TSS), with a concentration of 166 mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> reviewed the site water balance and TARP reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management 	Low	N/A

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
			<ul style="list-style-type: none"> 12 October 2022: Delta Coal received water quality analytical results on 14 October 2022 for a sample collected on 12 October 2022, which identified an exceedance of the 50 mg/L limit for TSS, with a concentration of 59mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> review the site water balance and TARP undertaking investigations on methods to improvement the pond flocculant system 6 May 2024: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 4,382 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following actions: <ul style="list-style-type: none"> revision of the TARP system controlling the underground mine dewatering (TARP 00089), to assist in maximising surge capacity during high rainfall events re-positioning the silt curtain to ensure full functionality <p>Conduct of the audit determined, in response to these exceedances, Delta Coal demonstrated adaptive management and implemented appropriate mitigation and management measures. Therefore, no CA or OFI is deemed relevant.</p>		
NC04	Schedule 3, Condition 12	The Groundwater Monitoring Program must include: (b) detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality;	There is no presentation of baseline data for groundwater quality, constituting a non-compliance (ANC) with Schedule 3, Condition 12(a). Therefore, CA01 has been identified.	ANC	CA01
NC05	Schedule 3, Condition 16	(a) The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any residence on privately-owned land.	During the audit period, there were two non-compliances recorded against depositional dust criteria: <ul style="list-style-type: none"> 21 April 2022: A result of 3.2 g/m²/month was measured at DG2, which was an exceedance of the maximum monthly increase criteria, with the result for the previous month being 0.1 g/m²/month. The exceedance was reported to the NSW EPA and the former DPE (now the DPHI), with an investigation determining the result was attributable to the nearby maintenance (i.e. cleaning) of transmission towers being undertaken by AusGrid approximately 95 m from DG2. 4 November 2022: A result of 9.2 g/m²/month was measured at DG1, which was an exceedance of the maximum monthly increase criteria, with the result for the previous month being 0.6 g/m²/month. The exceedance was reported to the NSW EPA and the former DPE (now the DPHI), with an investigation noting the result as being anomalous with other nearby dust gauges and a result of contamination at DG1. <p>As the exceedances were reported and investigated appropriately, and are not ongoing, no CA or OFI has been deemed relevant.</p>	Low	N/A

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC06	Schedule 5, Condition 3	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: a) a summary of relevant background or baseline data...	There is no presentation of baseline data for groundwater quality, constituting a non-compliance (ANC) with Schedule 5, Condition 3(a).	ANC	CA01
NC07	Schedule 5, Condition 5	Within three months of... the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.	The audit was able to verify review of strategies, plans and/or programs in accordance with Schedule 5, Condition 5 where reviews resulted in updates. However, the audit was unable to confirm reviews of strategies, plans and/or programs were undertaken in accordance with Schedule 5, Condition 5 where reviews determined updates were not required. As such, the audit was unable to confirm compliance with the requirements of Schedule 5, Condition 5. After conduct of the site inspection and interviews, a review tracking spreadsheet was prepared by Delta Coal to track these reviews. Therefore, no CA deemed relevant. However, to ensure the dates used on the cover page of plans is consistent, as such, CA05 has been identified.	ANC	OFI05
NC08	Schedule 5, Condition 13	Until the completion of all rehabilitation required under this consent, the Applicant must: a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website: the documents referred to in condition 2(e) of Schedule 2 of this consent;	Delta Coal is generally compliant with the requirements of this condition; however, the EA for Modification 4 is not available on the Project website. This has resulted in a non-compliance with Schedule 5, Condition 13(a), which required 'the documents referred to in condition 2(e) of Schedule 2 of this consent' to be available on the Project website. Therefore, CA02 has been identified.	ANC	CA02

3.3.2. EPL 191

Table 3.3 EPL 191 non-compliances

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC09	L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the POEO Act.	<p>There were three exceedances in relation to EPL criteria under Condition L2.4 of EPL 191 during the audit period, resulting in a non-compliance (low risk). These are as follows:</p> <ul style="list-style-type: none"> • 7 July 2022: Delta Coal received water quality analytical results on 11 July 2022 for a sample collected on 7 July 2022, which identified an exceedance of the 50 mg/L limit for total suspended solids (TSS), with a concentration of 166 mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> ◦ reviewed the site water balance and TARP ◦ reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management • 12 October 2022: Delta Coal received water quality analytical results on 14 October 2022 for a sample collected on 12 October 2022, which identified an exceedance of the 50 mg/L limit for TSS, with a concentration of 59mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> ◦ review the site water balance and TARP ◦ undertaking investigations on methods to improvement the pond flocculant system • 3 May 2024: Exceedance of TSS limit (i.e. 50 mg/L) at LDP1, with a result of 169 mg/L recorded in discharged water during a period of heavy rainfall. Following the non-compliance, Delta Coal completed the following actions: <ul style="list-style-type: none"> ◦ revision of the TARP system controlling the underground mine dewatering (TARP 00089), to assist in maximising surge capacity during high rainfall events ◦ re-positioning the silt curtain to ensure full functionality <p>These exceedances of TSS are considered to meet the definition of water pollution, as defined in Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (NSW), specifically:</p> <p><i>'The definition of water pollution for the Act includes the placing in or on, or otherwise introducing into or onto, the waters, whether through an act or omission, any matter, whether solid, liquid or gaseous, that is of a prescribed nature, description or class or that does not comply with a standard prescribed in relation to the matter...</i></p> <p><i>(l) liquid that contains suspended or dissolved solids,'</i></p> <p>As these exceedances were notified to the NSW EPA and the DPHI, no corrective action has been identified; however, OFI06 has been identified in relation to these notifications.</p>	Low	OFI06
NC10	L2.4	Water and/or Land Concentration Limits	Refer to discussion regarding non-compliance with Condition L1.1 (i.e. NC10).	Low	N/A

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC11	L3.1	<p>For each discharge point or utilisation area specified below (by a point number), the volume/mass of:</p> <p>a) liquids discharged to water; or;</p> <p>b) solids or liquids applied to the area;</p> <p>must not exceed the volume/mass limit specified for that discharge point or area.</p>	<p>There were two exceedances in relation to EPL criteria for discharge during the audit period, resulting in a non-compliance (low risk). These are as follows:</p> <ul style="list-style-type: none"> 5 July 2022: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 7,032 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> review of the site water balance and TARP reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management 6 May 2024: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 4,382 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following actions: <ul style="list-style-type: none"> revision of the TARP system controlling underground mine dewatering (TARP 00089) during high rainfall events reduction of the rainfall trigger level to cease dewatering (when deemed not to risk mine personnel safety) <p>Conduct of the audit determined, in response to these exceedances, Delta Coal demonstrated adaptive management and implemented appropriate mitigation and management measures. Therefore, no CA or OFI is deemed relevant.</p>	Low	N/A
NC12	O1.1	<p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity</p>	<p>During the site inspection it was sighted that oil drums were stored in banded areas; however in the warehouse a number of drums were stacked on top of each other. These drums were inappropriately stored and were not compliant with the Australian Standards AS 1940-2004: The storage and handling of flammable and combustible liquids, constituting a non-compliance with Condition O1.1. Therefore, CA03 has been identified.</p>	Low	CA03
NC13	M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:...</p> <p>d) the name of the person who collected the sample.</p>	<p>The sample receipts largely had the information required to satisfy the requirements of this condition, except for the sample records for the incident regarding TSS exceedance in May 2024, with the sample dated 9 May 2024 not identifying the sampler.</p> <p>Therefore, an ANC has been identified; however, as this as a one of occurrence and other sample receipts for water and dust sampling were compliant, no CA or OFI has been deemed relevant.</p>	ANC	N/A

3.3.3. Leases

3.3.3.1. Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016

By nature of being a mine and the holder of the above leases, Delta Coal and the CVC site must also comply with the standard conditions set out in Schedule 8A, Part 2 of the Mining Regulation 2016 (NSW). Conduct of the audit identified four non-compliances with these conditions, see Table 3.4.

Table 3.4 Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 non-compliances

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC14	11	The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows— a) to substitute the proposed version of a rehabilitation outcome document with the version approved by the Secretary—within 30 days after the document is approved	Review of the RMP indicates this requirement is generally addressed; however, the Approved Rehabilitation Objectives Statement is dated 20 November 2023, with the RMP not revised until 15 January 2024, which is more than 30 days after approval of the Rehabilitation Objectives Statement. Therefore, this has resulted in an ANC with Condition 11. As this non-compliance has been closed out, no CA or OFI has been deemed relevant.	ANC	N/A
NC15	Division 3 Condition 15(1)	The holder of a mining lease must do the following before the end of the initial period— c) prepare a forward program and give it to the Secretary.	With consideration to the definition of 'initial period' defined in Condition 15(8), the RMP, rehabilitation outcome documents and forward program were required within 30 days of 2 July 2022 (i.e. by 30 July 2022). The Forward Program Thursday 7 July 2022 to Sunday 6 July 2025 was not submitted until 23 January 2023, resulting in an administrative non-compliance; however, as the initial period will no longer be relevant going forward, no CA or OFI has been deemed relevant.	ANC	N/A
NC16	Division 3 Condition 15(2)	The holder of the mining lease must prepare a forward program and annual rehabilitation report and give them to the Secretary before— a) 60 days after the last day of each annual Reporting Period, commencing with the annual Reporting Period in which the forward program was given to Secretary under subclause (1)(c)...	Review of relevant documentation indicates general compliance with the requirements of this condition; however, the Annual Rehabilitation Report and Forward Program for 7 July 2022 to 6 July 2023 was not submitted until 12 September 2023, which is more than 60 days after the last day of the annual reporting period. Therefore, this has resulted in an ANC with Condition 15(2). As this non-compliance has not re-occurred in relation to submission of the annual rehabilitation report for 2023/2024, no CA or OFI has been deemed relevant.	ANC	N/A
NC17	Division 3 Condition 19(2)	The holder of the mining lease must give written notice to the Secretary of— a) 60 days after the last day of each annual Reporting Period, commencing with the annual Reporting Period in which the forward program was given to Secretary under subclause (1)(c)...	A review of the email correspondence between NSW Resources Regulator and Delta Coal, confirms that written notice was provided. However, the notice was required to be provided within 28 days of 2 July 2022 (i.e. 29 July 2022) and was not provided until 10 August 2022. Therefore, an ANC has been identified with Condition 19(2). However, as the nominated contact person has since been provided to the NSW Resources Regulator, no CA or OFI is deemed relevant.	ANC	N/A

3.4. Adequacy of any strategies / plans, programs and compliance documents

3.4.1. Environmental Management Strategy

The EMS (Revision 4, 1 July 2024) has been written and implemented in accordance with the conditions of MP06_0311, including:

- Schedule 2, Condition 16 (Staging, Combining and Updating Strategies, Plans or Programs)
- Schedule 5, Condition 1 (EMS)
- Schedule 5, Conditions 3 and 4 (Management Plan Requirements)
- Schedule 5, Condition 5 (Revision of Strategies, Plans and Programs)

In accordance with Schedule 2, Condition 16(d) of MP06_0311, the EMS is combined with Delta Coal's adjacent CVC site. Appendix 7 of the EMS includes the combined Environmental Monitoring Program.

The current EMS was approved by the DPHI on 22 October 2024, with two revisions made during the audit period, one on 12 October 2022 following the 2022 IEA and the second on 1 July 2024 following the request for information received from the former DPE (now the DPHI).

The most recent EMS was found to be publicly available on the Delta Coal website at the time of the audit.

There were no issues identified during the audit (i.e. documentary review, site inspection, and interviews) necessitating revision to the EMS, with the current EMS satisfying the requirements imposed on MC.

3.4.2. Rehabilitation Management Plan

The RMP is a combined plan for both the MC and CVC sites and has generally been written and implemented in accordance with:

- Relevant Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) and NSW Resources Regulator Form and Way and Guideline documents
- MP06_0311, specifically:
 - Schedule 2, Condition 16 (Staging, Combining and Updating Strategies, Plans or Programs)
 - Schedule 3, Condition 13 (Rehabilitation)
 - Schedule 3, Condition (RMP)
 - Schedule 5, Conditions 3 and 4 (Management Plan Requirements)
 - Schedule 5, Condition 5 (Revision of Strategies, Plans and Programs)

The RMP is now in its second revision, dated 15 January 2024, with both revisions prepared during the audit period, prepared in consultation with the NSW Resources Regulator. The first revision was prepared on 31 July 2022 to comply with the amendments made to Schedule 8A of the Mining Regulation 2016. The second was prepared following approval of Rehabilitation Objective Statement by the NSW Resource Regulator on 20 November 2023, and progress of the rehabilitation phase at the former CVC mine cottages.

There were no significant issues identified during the audit (i.e. documentary review, site inspection, and interviews), with the following related documents sighted during the audit:

- Approved Rehabilitation Objectives Statement Monday 20 November 2023
- Forward Program Thursday 7 July 2022 to Sunday 6 July 2025 (submitted 23 January 2023)
- Forward Program Friday 7 July 2023 to Monday 6 July 2026 (submitted 12 September 2023)
- Forward Program Sunday 7 July 2024 to Tuesday 6 July 2027 (submitted 27 November 2024)
- Annual Rehabilitation Report Thursday 7 July 2022 to Friday 6 July 2023 (submitted 12 September 2023)
- Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (submitted 5 September 2024)

Review of the RMP identified **OFI02** in relation to inclusion of consultation materials with relevant agencies.

The most recent RMP and Forward Program were found to be publicly available on the Delta Coal website at the time of the audit.

3.4.3. Water Management Plan

The WMP (Revision 7, 24 November 2022) for MC has been written and implemented in accordance with the conditions of MP06_0311, including:

- Schedule 3, Condition 8 (WMP)
- Schedule 3, Condition 9 (Site Water Balance)
- Schedule 3, Condition 10 (Erosion and Sediment Control)
- Schedule 3, Condition 11 (Surface Water Monitoring Program)
- Schedule 3, Condition 12 (Groundwater Monitoring Program)
- Schedule 5, Conditions 3 and 4 (Management Plan Requirements)
- Schedule 5, Condition 5 (Revision of Strategies, Plans and Programs)

The WMP (Revision 7, 24 November 2022) for MC was approved by the former DPE (now the DPFI) on 10 January 2023, and includes a site water balance, Erosion and Sediment Control Plan (ESCP), Surface Water Monitoring Program; and Groundwater Monitoring Program.

The WMP has been revised during the audit period per the recommendations of the 2022 IEA, with no additional consultation required.

There were no issues identified during the audit (i.e. documentation review, site inspection, and interviews) necessitating revision to the WMP.

The most recent revision of the WMP was publicly available on the Delta Coal website at the time of the audit.

3.4.4. Air Quality and Greenhouse Gas Management Plan

The AQGHGMP (Revision 5, 12 January 2024) has been written and implemented in accordance with the conditions of MP06-0311, including:

- Schedule 2, Condition 16 (Staging, Combining and Updating Strategies, Plans or Programs)
- Schedule 3, Condition 16 (Impact Assessment Criteria)
- Schedule 3, Conditions 17 and 17A (AQGHGMP)
- Schedule 5, Conditions 3 and Condition 4 (Management Plan Requirements)
- Schedule 5, Condition 5 (Revision of Strategies, Plans and Programs)

In accordance with Schedule 2, Condition 16(d) of MP06_0311, the AQGHGMP is combined with Delta Coal's adjacent CVC site.

The current AQGHGMP was approved by the DPHI on 23 January 2024, with three revisions made during the audit period. The first (Revision 3) was prepared on 30 May 2023 following the 2022 IEA. The second (Revision 4, 18 September 2023) was made to address comments from the former NSW DPE (now the DPHI).

The most recent AQGHGMP was found to be publicly available on the Delta Coal website at the time of the audit.

There were no issues identified during the audit (i.e. documentary review, site inspection, and interviews), with the current AQGHGMP satisfying the requirements imposed on MC. However, a minor update to the AQGHGMP has been identified (**OF104**) in relation to updating the table of contents to reflect inclusion of Appendix G.

3.4.5. Noise Management Plan

The NMP (Revision 1, 20 April 2022) has been written and implemented in accordance with the conditions of MP06-0311, including:

- Schedule 2, Condition 16 (Staging, Combining and Updating Strategies, Plans or Programs)
- Schedule 3, Condition 1 (Construction Noise)
- Schedule 3, Conditions 2 and 3 (Operational Noise Criteria)
- Schedule 3, Conditions 3A and 3B (Noise Operating Conditions)
- Schedule 3 Condition 3C (NMP)
- Schedule 5, Conditions 3 and Condition 4 (Management Plan Requirements)
- Schedule 5, Condition 5 (Revision of Strategies, Plans and Programs)

In accordance with Schedule 2, Condition 16(d) of MP06_0311, the NMP is combined with Delta Coal's adjacent CVC site.

The current NMP was approved by the former DPIE (now the DPHI) on 19 April 2022 and in consultation with the NSW EPA, with revision required due to approval of Modification 2 for the CVC development consent (i.e. SSD-5465).

The most recent NMP was found to be publicly available on the Delta Coal website at the time of the audit.

There were no issues identified during the audit (i.e. documentary review, site inspection, and interviews) necessitating revision to the NMP, with the current NMP satisfying the requirements imposed on MC.

3.4.6. Land Management Plan

While the LMP (Revision 1, 26 April 2016) was implemented during the audit period, the preparation of the LMP in accordance with requirements of MP06_0311 was considered in the 2022 IEA. However, it is noted a revised LMP, encompassing the adjacent CVC site, was submitted to the DPHI on 3 January 2025 with approval still pending at the time of the audit.

The most recent LMP was found to be publicly available on the Delta Coal website at the time of the audit.

Review of the revised LMP confirmed it has been prepared in accordance with the conditions of MP06-0311, including:

- Schedule 3, Condition 14 (LMP)
- Schedule 3, Condition 19 (Visual)
- Schedule 3, Condition 22 (Bushfire Management)
- Schedule 5, Conditions 3 and Condition 4 (Management Plan Requirements)
- Schedule 5, Condition 5 (Revision of Strategies, Plans and Programs)

There were no issues identified during the audit (i.e. documentary review, site inspection, and interviews); however, a minor update is recommended (**OFI03**) in relation to inclusion of details related to consultation.

3.4.7. Heritage Management Plan

The HMP (Revision 5, 12 October 2022) has been written and implemented in accordance with the conditions of MP06-0311, including:

- Schedule 2, Condition 16 (Staging, Combining and Updating Strategies, Plans or Programs)
- Schedule 3, Condition 18 (Protection of Aboriginal Heritage)
- Schedule 3, Condition 18A (Heritage Management Plan)
- Schedule 5, Conditions 3 and Condition 4 (Management Plan Requirements)
- Schedule 5, Condition 5 (Revision of Strategies, Plans and Programs)

In accordance with Schedule 2, Condition 16(d) of MP06_0311, the HMP is combined with Delta Coal's adjacent CVC site.

The current HMP was approved by the former DPE (now the DPPI) on 27 September 2023 in consultation with the Heritage Council of NSW, with the registered Aboriginal parties previously consulted for the 2020 revision (outside of scope). This revision was required to address minor administrative updates resulting from recommendations of the 2022 IEA.

The currently approved HMP was publicly available on the Delta Coal website at the time of the audit.

There were no issues identified during the audit (i.e. documentary review, site inspection, and interviews), with the current HMP satisfying the requirements imposed on MC. However, minor revision has been recommended as part of the 2025 IEA for the CVC site.

3.5. Complaints and reportable incidents

3.5.1. Complaints

Delta Coal maintains a complete complaints and incidents register for the site and a review of complaints data for the audit period indicate that there were zero complaints received in relation to MC.

Review of complaints data for the audit period indicate a significant decrease in complaints, with complaints decreasing from 110 during the 2022 IEA period to 0 during the current audit period.

3.5.2. Reportable incidents under the Protection of the Environment Operations Act 1997

During the review of relevant documentation and audit interviews conducted there were no identification of incidents that have occurred during the audit period, in relation to Section 148 (Pollution incidents causing or threatening material harm to be notified) of the *Protection of the Environment Operations Act 1997* (NSW). However, there were five exceedances in relation to EPL criteria for discharge during the audit period, with two related to exceedance of the daily discharge limit and three related to exceedance of water quality criteria for TSS.

The exceedances of TSS are considered to meet the definition of water pollution, as defined in Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (NSW), specifically:

'The definition of water pollution for the Act includes the placing in or on, or otherwise introducing into or onto, the waters, whether through an act or omission, any matter, whether solid, liquid or gaseous, that is of a prescribed nature, description or class or that does not comply with a standard prescribed in relation to the matter...

(l) liquid that contains suspended or dissolved solids,'

This resulted in non-compliance with Condition L1.1 of the EPL (see Section 3.3.2). As these exceedances were notified to the NSW EPA and the DPHI, no CA has been identified; however, **OF106** has been identified in relation to these notifications.

4. Environmental performance

The MC demonstrated a high level of environmental performance during the audit period and site inspection. This was demonstrated in the general lack of exceedances of relevant criteria in MP06_0311 (Appendix D), EPL 191 (Appendix E), the various MLs, the Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) (Appendix F), and through observations made during the site inspection (Appendix G).

4.1. General environmental management

The following general observations were made based on evidence from the site interviews supported by onsite inspection:

- equipment lay down areas are tidy and free of contamination
- the workshop was free of spills and was tidy and well organised
- oil recycling areas and wash down area were in good condition and tidy
- weed management was being implemented accordingly

Other observations during conduct of the audit, including the site inspection and interviews, is provided in Sections 4.2 to 4.12.

4.2. Rehabilitation

Review of relevant documentation indicates relevant plans for rehabilitation during the audit period included:

- Rehabilitation Management Plan (Revision 2, 15 January 2024)
- Approved Rehabilitation Objectives Statement Monday 20 November 2023
- Forward Program Thursday 7 July 2022 to Sunday 6 July 2025 (submitted 23 January 2023)
- Forward Program Friday 7 July 2023 to Monday 6 July 2026 (submitted 12 September 2023)
- Forward Program Sunday 7 July 2024 to Tuesday 6 July 2027 (submitted 27 November 2024)
- Annual Rehabilitation Report Thursday 7 July 2022 to Friday 6 July 2023 (submitted 12 September 2023)
- Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (submitted 5 September 2024).
- Annual Reviews for 2022, 2023 and 2024, including rehabilitation walkover reports

4.2.1. Progressive rehabilitation

Conduct of the audit confirmed that, due to the nature of the surface infrastructure being fixed and relied upon for mining operations with respect to the CVC site and transport to the VPPS, no significant rehabilitation works on disturbed lands occurred during the audit period. This is due to the nature of the MC being an underground mine, with disturbed areas relating to surface infrastructure still in use and not available for rehabilitation. As such, no land is currently being prepared for, or is under, active rehabilitation.

The Annual Reviews for 2022, 2023 and 2024 confirmed that of the 13.2 ha of the mines total footprint, 13.2 ha remain disturbed, and is to remain for the duration of mining.

Further no rehabilitation has been completed at the site to date or is forecast in the current forward program.

4.2.2. Rehabilitation design

The RMP is a combined plan for CVC and MC. The RMP details the final land use goals for MC, with this being surface facilities and land returned to a near-native ecosystem compatible with the surrounding vegetation communities. The MC site is planned to be:

- Broad-Leaved Scribbly Gum Open Forest (MC pit top)
- managed exotic grassland (MC downcast shaft)

The RMP is broken up into rehabilitation phases:

- active mining phase (current phase)
- decommissioning
- landform establishment
- growth media development
- ecosystem and land use establishment
- ecosystem and land use development
- rehabilitation of areas affected by subsidence

Conduct of the audit, including the site inspection, confirmed that Delta Coal is conducting its activities in line with the RMP.

4.2.3. Rehabilitation management monitoring

The MC is currently in the active mining phase, with rehabilitation not forecast to commence until 2029 (pending approval of the mine life extension from 2027 to 2029) due to the required use of surface facilities for operations.

Delta Coal plans to prepare a detailed mine closure plan 2-5 years prior to closure and has had a rehabilitation monitoring program developed by specialist consultant EMM, with the baselining of analogue sites for monitoring purposes beginning in 2019.

As no rehabilitation has commenced on the site, no rehabilitation monitoring has occurred. The only management and practices relevant to rehabilitation currently implemented on-site is with regards to weed management. Conduct of the audit confirmed the site is managing weeds adequately.

4.3. Water management

4.3.1. Water supply and water balance

Water supplied to the MC comes from one of three sources:

- potable water (from the CC Council supply)
- runoff from the surrounding catchment
- groundwater extraction

Groundwater extraction at MC is permissible to a volume of 450 ML per annum under WAL40461. The MC has consistently utilised far less than permissible, with volumes used over the audit period in order of:

- 2022 – 280.05 ML
- 2023 – 290.6 ML
- 2024 – 260 ML

Conduct of the audit has confirmed there is sufficient water supply for MC operations and that Delta Coal is conducting operations as per the approved WMP and associated site water balance.

4.3.2. Compensatory water supply

No compensatory water supply was required during the audit period.

4.3.3. Water discharge and monitoring

Throughout the audit period, there were five exceedances in relation to EPL criteria for discharge during the audit period, with two related to exceedance of the daily discharge limit and three related exceedance of water quality criteria for TSS. These are as follows:

- 5 July 2022: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 7,032 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following:
 - review of the site water balance and TARP
 - reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management
- 7 July 2022: Delta Coal received water quality analytical results on 11 July 2022 for a sample collected on 7 July 2022, which identified an exceedance of the 50 mg/L limit for TSS, with a concentration of 166 mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following:
 - reviewed the site water balance and TARP
 - reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management
- 12 October 2022: Delta Coal received water quality analytical results on 14 October 2022 for a sample collected on 12 October 2022, which identified an exceedance of the 50 mg/L limit for TSS, with a concentration of 59mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following:
 - review the site water balance and TARP
 - undertaking investigations on methods to improvement the pond flocculant system
- 6 May 2024: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 4,382 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following actions:
 - revision of the TARP system controlling the underground mine dewatering (TARP 00089), to assist in maximising surge capacity during high rainfall events
 - re-positioning the silt curtain to ensure full functionality

This resulted with non-compliances as follows:

- Schedule 3, Condition 6 of MP08_0311 (**NC03**) (see Section 3.3.1)
- Condition L1.1 of EPL 191 (**NC08**) (see Section 3.3.2)
- Condition L2.4 of EPL 191 (**NC09**) (see Section 3.3.2)
- Condition L3.1 of EPL 191 (**NC10**) (see Section 3.3.2)

Conduct of the audit determined, in response to these exceedances, Delta Coal demonstrated adaptive management and implemented appropriate mitigation and management measures. Therefore, no CA is deemed relevant. However, **OFI06** has been identified.

4.3.4. Performance measures

To ensure Delta Coal meets the required performance goals for MC, a number of measures are implemented, these measures are provided in Section 3 of the WMP and are summarised in the proceeding sections.

4.3.4.1. Clean water diversion

Clean water is diverted from upslope areas through a series of diversion drains and culverts under roads.

These diversions were confirmed to be well-maintained and vegetated during the site inspection, helping to enhance stability and limit erosion.

4.3.4.2. Sediment control ponds

Throughout the WMP the term ponds is used interchangeably with dams; however, their purpose remains consistent, that being to manage dirty water within the MC. The MC site has a total of four settlement ponds (i.e. Ponds 1-3 and Pond B).

Water from the dirty water catchments enters Pond 1 or Pond 2. When both these dams are full, water overflows into Pond 3, and once Pond 3 reaches capacity it subsequently overflows into Pond B. Finally, when Pond B reaches capacity water is discharged via LDP1.

Each of the settlement ponds has a floating boom to capture any oil residue within surface water runoff (if present), in the event this was not previously captured and removed by the oil and water separators.

4.3.4.3. Water savings

Delta Coal seeks continual improvement in relation to water consumption, potential improvements in water efficiency and alternative water sources (where practicable) and options for recycling and reuse. The following measures are implemented at MC:

- continued maintenance of pumping infrastructure to ensure efficient operations
- repair works to aging pipelines to reduce losses from leakage
- trial use of chemical dust suppressant to reduce water cart usage.

4.4. Air quality

During the site inspection, mine representatives were forthcoming in producing requested evidence, and demonstrated MC was operating and implementing the approved AQGHGMP (Revision 5, 12 January 2024).

Conduct of the audit (i.e. a review of documentation, the site inspection, and interviews) indicated that Delta Coal was generally compliant with conditions of MP08_0311 and EPL 191 relating to air quality, noting:

- no reportable incidents in relation to spontaneous combustion occurred over the audit period, with appropriate management measures in place and minimal stockpiling on site.
- the site inspection also saw minimal dust generation during the visit, while the site interviews confirmed the use of a water cart (as required)
- the AQGHGMP outlines the regular air quality and meteorological monitoring undertaken for the site
- Delta Coal additionally reports all Scope 1 and Scope 2 greenhouse gas emissions of the site to the Clean Energy Regulator in accordance with the *National Greenhouse and Energy Reporting Act 2007* (NGER Act)
- there were no complaints or incidents received in relation to odour during the audit period
- conduct of the audit, including the site inspection, confirmed Delta Coal is implementing the approved AQGHGMP adequately on-site

During the audit period, there were two non-compliances recorded against depositional dust criteria:

- 21 April 2022: A result of 3.2 g/m²/month was measured at DG2, which was an exceedance of the maximum monthly increase criteria, with the result for the previous month being 0.1 g/m²/month. The exceedance was reported to the NSW EPA and the former DPE (now the DPHI), with an investigation determining the result was attributable to the nearby maintenance (i.e. cleaning) of transmission towers being undertaken by AusGrid approximately 95 m from DG2.
- 4 November 2022: A result of 9.2 g/m²/month was measured at DG1, which was an exceedance of the maximum monthly increase criteria, with the result for the previous month being 0.6 g/m²/month. The exceedance was reported to the NSW EPA and the former DPE (now the DPHI), with an investigation noting the result as being anomalous with other nearby dust gauges and a result of contamination at DG1.

This resulted in a non-compliance with Schedule 3, Condition 16 of MP08_0311 (**NC06**). As the exceedances were reported and investigated appropriately, and are not ongoing, no CA or OFI has been deemed relevant.

4.5. Noise management

During the site inspection, mine representatives were forthcoming in producing any evidence requested, and demonstrated that the mine has exhibited best practice noise management in accordance with the approved NMP (Revision 1, 20 April 2022) during the audit period.

Conduct of the audit (i.e. a review of documentation, the site inspection, and interviews) indicated that Delta Coal was generally compliant with conditions of MP08_0311 and EPL 191 relating to air quality, noting:

- the NMP outlines management and mitigation measures which minimise development noise
- noise controls used on the site were adequate and included:
 - air compressors being housed in 3-sided enclosures to reduce noise
 - acoustically modified ventilation fans
 - major electrical motors are located within buildings
 - the conveyor systems final transfer point (only system used for coal transport during the audit period) is enclosed
 - primary coal crushing and sizing occurs underground

- meteorological conditions are considered in noise management including the use of an on-site meteorological station providing daily forecasting. Alerts are in place for adverse conditions and data is accessible.
- the mine conducts operator-attended noise monitoring to assess performance quarterly, with results published on the Delta Coal website
- MC has received no noise complaints during the audit period.

During the audit period, a 1 dB(A) exceedance of noise criteria at monitoring location RA2 was recorded on 15 December 2022, adjacent Macquarie Shores Home Village. The exceedance persisted in noise enhancing meteorological conditions. Therefore, Delta Coal ceased operations until commencement of the day-time period, as defined in the Noise Policy for Industry (NSW EPA, 2017). Follow-up monitoring was undertaken on 16 December 2022 when operations recommenced, confirming that the noise exceedance was not ongoing. The exceedance was reported and investigated, with the exceedance identified as likely to have been associated with a change in the aperture sizing in the CHPP Crusher 2 screen deck. Therefore, Delta Coal replaced the screen deck with the original sized apertures, and follow-up monitoring indicated a 1-2dB decrease in noise emissions.

This resulted in a non-compliance with Schedule 3, Condition 3 of MP08_0311 (**NC02**). As appropriate actions were taken, no CA or OFI is deemed relevant.

4.6. Blasting

There was no surface blasting undertaken during the reporting period.

4.7. Heritage

Review of the Induction indicates Aboriginal cultural heritage and historic heritage awareness are covered and presented to any new employee or contractor, with the HMP (Revision 5, 27 September 2023) prepared in accordance with the required legislation and appropriate stakeholders, including the relevant departments and RAPs.

4.7.1. Aboriginal cultural heritage

The required monitoring, management and mitigation measures required for Aboriginal heritage is provided in Section 5.1 of the HMP.

Details on the existing three Aboriginal Heritage Information Management System sites is provided, as well as the obligation to avoid harm and unexpected finds procedure.

Conduct of the audit, including the site inspection, found no impacts or non-compliances with regard to Aboriginal heritage, and that the approved HMP was being implemented accordingly.

4.7.2. Historic heritage

There are no known items of historic heritage found within the MC; however, as above, the unexpected finds procedure for items of historic heritage is provided in Section 5.2 of the HMP. There were no non-compliances found in relation to historic heritage during the audit.

4.8. Biodiversity

Biodiversity at MC is managed in accordance with the LMP, with measures focused on weed and pest management, as detailed in Section 4 and 5.

Over the audit period, there have been no changes made to surface infrastructure at MC and as such the disturbance footprint has not changed, with no additional impacts occurring or reported in relation to threatened flora or fauna.

Ongoing weed management occurred at site over the audit period as per the Weed Action Plan, and implemented by the relevant subcontractor. The site inspection confirmed the effectiveness of measures.

4.9. Social impact

Delta Coal is not required by their approval conditions to have developed and implemented a social impact management plan; however, in-line with the statement of commitments made, Delta Coal has:

- maintained open and constructive communication with affected individuals and groups using the website, contact number, contact email and complaints and incident procedure
- participated in the CCC (combined with CVC), with meetings held every quarter providing regular Colliery updates with landowners and local residents, and the meeting minutes and presentations available on the website
- provided environmental monitoring data and other relevant information in a timely manner via the environment tab on the Delta Coal website
- as reported in the Annual Reviews for 2022, 2023, and 2023, Delta Coal has worked in partnership with stakeholders to address community needs, with additional community support and engagement provided to the local community through in-kind support, cash donations, staff time and charitable donations
- liaised regularly with relevant government agencies and relevant local councils
- continued annual payments to the voluntary planning agreement and community fund established, with a number of local community infrastructure and services the beneficiaries of funding, including Summerland Point, Gwandalan, Chain Valley Bay and Mannering Park

4.10. Bushfire management

Bushfire management is described in Section 6 of the LMP, with the following measures implemented:

- regular inspections undertaken to ensure bushfire risk is managed appropriately
- maintenance of asset protection zones, fire trails, and access roads
- provision of water by means of fire hydrants, fire reels, depots, use of dams and proximity to Lake Macquarie for emergency sources of water as required.
- prohibition of hot work activities during extreme and catastrophic fire risk periods
- regular training of mine firefighting crews and liaison with local firefighting brigades

With no bushfire incidents occurring during the audit period, and sighting of the above firefighting measures during the site inspection, Delta Coal is considered compliant with their bushfire requirements at MC.

4.11. Waste management

Over the audit period Delta Coal has improved their waste management processes, as evidenced by an increased recycling rate from 34.26% during the 2022 reporting period to 58% during the 2024 reporting period.

During this time, Delta Coal changed waste contractors and enhanced the on-site sorting area for waste management. Delta Coal implements a total waste management system, delivered an array of waste management education initiatives (including tool box talks, presentations and signage), conducts weekly site inspection through their waste contractor Cleanaway and regularly reports on waste via:

- monthly waste reports and waste tracking spreadsheets (provided by contractor)
- NSW EPA Online Waste Tracking System Transport Certificates
- waste acceptance notices – ash analyser

Conduct of the audit confirmed waste management on the MC site was generally compliant with all conditions. However, the site inspection identified a number of drums which were inappropriately stored and were not compliant with the Australian Standards AS 1940-2004: The storage and handling of flammable and combustible liquids, constituting a non-compliance with Condition O1.1 of EPL 191. Therefore, **CA03** has been identified.

4.12. Visual amenity and lighting impacts

The lighting and visual impact reviews were completed in 2019 with the outcome being such that no future lighting surveys were required for MC unless directed by the Secretary, which has not occurred during the audit period.

There were no complaints or incidents over the audit period in relation to visual amenity or lighting impacts.

Conduct of the audit, including the site inspection, confirmed the MC site was compliant with all visual amenity and lighting conditions and implementing measures as per Section 3 of the approved LMP.

5. Corrective actions and opportunities for improvement

5.1. Corrective actions

Table 5.1 summarises the CAs made based on the findings of the audit and observations during the site inspection.

Table 5.1 Corrective actions identified during the audit

Consent / licence / lease	Condition	CA ID	CA requirement
M06_0311	Schedule 3 Condition 12 Schedule 5 Condition 3	CA01	To ensure compliance with relevant conditions of MP06_0311, undertake updates to the WMP to ensure baseline data for groundwater quality are included.
	Schedule 5 Condition 13	CA02	Ensure the EA for Modification 4 is uploaded to the Project website.
EPL 1770	Condition O1.1	CA03	To ensure drums are not stacked, install signs informing staff at each storage location of appropriate storage requirements.

5.2. Opportunities for improvement

Table 5.2 summarises the OFIs made based on the findings of the audit and observations during the site inspection.

Table 5.2 Opportunities for improvement identified

Consent / licence / lease	Condition	OFI ID	OFI requirement
MP06_0311	Schedule 2, Condition 15	OFI01	To accurately reflect consultation to date for the WMP, updated Table 1 in Section 1.4
		OFI02	Update the RMP to include copies of emails / letters to / from BCD (now NSW DCCEEW CPHR Group), DPIE Water (now NSW DCCEEW Water Group), Central Coast Council, LMCC, and the CCC.
		OFI03	Update the LMP, as follows: <ul style="list-style-type: none"> Section 1.5 (Table 2) to reflect no comments were received from the relevant stakeholders Appendix 2 to demonstrate consultation was undertaken
	Schedule 3 Condition 17	OFI04	Update the table of contents of the AQGHGMP to reflect Appendix G attached.
	Schedule 5, Condition 5	OFI05	To remove discrepancy and ensure consistency across plans, the cover page for management plans should be updated have a consistent cover page identifying: <ul style="list-style-type: none"> the date the plan was submitted/prepared approval date last review date next review date
EPL 191	L1.1	OFI06	Should any exceedance of discharge water quality criteria occur, ensure notifications include consideration to Section 120 of the Protection of the Environment Operations Act 1997 (NSW), including Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (NSW).

Appendix A

DPHI audit team endorsement

NSW Planning ref: SSD-5465-PA-153

Lachlan McWha
Environment and Approvals Coordinator
Great Southern Energy Pty Ltd
Off Construction Road Off Ruttleys Road
Manning Park New South Wales 2259
05/02/2025

Sent via the Major Projects Portal only

Subject: Chain Valley Extension - IEA Auditor Endorsement Request

Dear Mr McWha,

I refer to your request for the Planning Secretary's approval of suitably qualified, experienced, and independent persons to conduct Independent Environmental Audits of the Chain Valley Extension Project and Manning Coal Mine, submitted as required by Schedule 6, Condition 9(a) of SSD-5465 as modified (the consent) and Schedule 5, Condition 9(c) of MP06_0311 as modified (the approval) respectively, to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 20 January 2025.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed persons are suitably qualified, experienced, and independent.

Consequently, as nominee of the Planning Secretary, I endorse the following independent audit team:

- Mr Elliot Holland – Lead Auditor
- Ms Kurt Speirs – Auditor
- Gemma van Hemert – Auditors Assistant

Please ensure this correspondence is appended to the Independent Audit report.

The Independent Audits must be prepared, undertaken, and finalised in accordance with the applicable conditions of consent and approval and the *Independent Audit Post Approval Requirements (2020)*. Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

The Independent Audits must be carried out within 3 years of the previous Independent Audits, being 12 April 2025 for Chain Valley Extension Project and 2 May 2025 for Manning Coal Mine. The site

inspections should be carried out as close to the end of these periods as possible and should be considered the last date of the audit period.

Please note, the Lead Auditor must attend the site inspections.

The Independent Audits [and your Response to the Auditors Recommendations (RAR)] must be submitted to the Planning Secretary within 12 weeks of the date of the site inspections.

Should you wish to discuss the matter further, please contact Laura Gothard, Senior Compliance Officer on 0484 269 988 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read "Joel Curran".

Joel Curran
Acting Team Leader
Compliance

As nominee of the Planning Secretary

Appendix B

Independent audit declaration forms

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name Mannering Colliery – Continuation of Mining Project

Consent Number PA06_0311

Description of Project Mannering Colliery & infrastructure, including CHPP

Project Address Off Rutleys Road, Doyalson, NSW, 2262

Proponent Great Southern Energy Pty Ltd (trading as 'Delta Coal')

Date 22/01/2025

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor Elliot Holland

Signature



Qualification Bachelor of Environmental Science & Management, and Certified Lead Auditor - EMS through Exemplar Global

Company Onward Consulting Pty Ltd

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name	Manning Colliery – Continuation of Mining Project
Consent Number	PA06_0311
Description of Project	Manning Colliery & infrastructure, including CHPP
Project Address	Off Rutleys Road, Doyalson, NSW, 2262
Proponent	Great Southern Energy Pty Ltd (trading as 'Delta Coal')
Date	03/02/2025

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor Kurt Speirs

Signature *K. Speirs*

Qualification Bachelor of Environmental Science & Management, Grad Cert. Work Health & Safety, and Certified Lead Auditor through Exemplar Global

Company Onward Consulting Pty Ltd

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name Mannering Colliery - Continuation of Mining Project

Consent Number PA06_0311

Description of Project Mannering Colliery & Infrastructure, including CHPP

Project Address Off Rutleys Road, Doyalson, NSW, 2262

Proponent Great Southern Energy Pty Ltd (trading as 'Delta Coal')

Date 31/01/2025

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

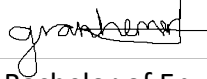
- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor Gemma van Hemert

Signature



Qualification

Bachelor of Environment Science and Management

Company

Onward Consulting Pty Ltd

Appendix C

Agency consultation

From: Elliot Holland
Sent: Tuesday, 11 March 2025 11:47 AM
To: Gemma van Hemert
Subject: DPHI Compliance - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery

From: Laura Gothard <laura.gothard@dpie.nsw.gov.au>
Sent: Tuesday, March 11, 2025 10:42 AM
To: Elliot Holland <elliott.holland@onward.au>
Subject: RE: DPHI Compliance - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery

Hi Elliot,

Thank you for your email.

I will go through our information on this development and if there is anything above and beyond the IAPAR Guidelines or Development Consent Conditions I would like you to review, I will get back to you before the end of March.

In the meantime however, please reach out to Lake Macquarie Council (ATT: Development Compliance Coordinator), Hunter Water (or equivalent), Subsidence Advisory NSW and Resource Regulator for comment.

Kind Regards,

Laura Gothard
Senior Compliance Officer

Development Assessment | Department of Planning, Housing and Infrastructure
T 02 6575 3403 | M 0484 269 988 | E laura.gothard@dpie.nsw.gov.au

From: Elliot Holland <elliott.holland@onward.au>
Sent: Monday, March 10, 2025 4:58 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Gemma van Hemert <gemma.vanhemert@onward.au>; Kurt Speirs <kurt.speirs@onward.au>; Laura Gothard <laura.gothard@dpie.nsw.gov.au>
Subject: DPHI Compliance - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery
Importance: High

Hi,

Delta Coal has engaged Onward Consulting Pty Ltd (Onward) to undertake independent environmental audits (IEAs) of the Chain Valley Colliery and Mannering Colliery. The IEAs will be prepared in accordance with:

- the Independent Audit Guideline Post Approval Requirements (DPIE, 2020)

- Schedule 6, Condition 9 of SSD-5465 for Chain Valley Colliery, with focus on
- Schedule 6, Condition 9 of PA 06_0311 for Mannering Colliery

The focus of the IEAs will be:

- conditions of:
 - Project Approvals
 - Environment Protection Licences
 - Up to 1 July 2022: Leases issued under the *Mining Act 1992* (NSW),
 - From 2 July 2022: Schedule 8A of Mining Regulation 2016 (NSW)
 - Relevant water and groundwater licences
 - Relevant groundwater licences
- implementation of approved management plans
- actions and recommendations from the 2022 IEA
- evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of SSD-6764
- assessment of environmental risks at the site during a site visit
- recommending measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval

So that we may adequately address any concerns during the audit, I am writing to you to invite comment from yourself regarding Delta Coal's operations at Chain Valley Colliery and/or Mannering Colliery, as they relate to SSD-5465 and PA06_0311 respectively. I also invite you to comment on Delta Coal's performance with other requirements, as you may deem appropriate.

It would be appreciated if you could provide your comments regarding the performance of WCPL in meeting these obligations under the following headings:

- compliance with requirements
- progress to meeting requirements
- details of incidents of non-compliance
- adequacy of actions taken
- adequacy of the requirements of the approval / licence

The site visit for the audit is currently scheduled to be conducted Thursday 10 April 2025.

It would be appreciated if you could submit your written comments by close of business Wednesday 9 April 2025.

All correspondence in relation to the IEA should be directed to Elliot Holland (Principal – Auditing & Compliance, Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.net.au.

Regards,
Elliot Holland
Principal – Auditing and Compliance

0427 863 567
elliott.holland@onward.net.au
Suite 2, 88 Tudor Street
Hamilton NSW 2303



Please note my work days are Monday-Thursday. For anything urgent, please contact Mike Gale at mike.gale@onward.net.au. Otherwise, I will respond to your email as soon as possible when I am back in the office.

Where you have received this email outside 8.30am to 5.00pm Monday to Friday, I am sending you this message now because it is a good time for me. Please know, I do not expect you to read, respond or action anything in this message outside your regular hours.

CONFIDENTIALITY NOTICE: This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person.

11 March 2025

Mr Elliot Holland
Onward Consulting Pty Ltd
Suite 2, Level 1, 28 Donald Street
Hamilton NSW 2303
By Email: elliott.holland@onward.au

Re: Chain Valley Colliery and Mannering Colliery – Independent Environmental Audit

Dear Mr Holland,

Thank you for your email dated 10 March 2025 (our reference: AREQ0062222) requesting consultation on the independent audit to be undertaken of the Chain Valley Colliery and the Manning Colliery which are covered by the following mining leases:

Chain Valley Colliery

- CCL706 (1973)
- CCL707 (1973)
- ML 1051 (1906)
- ML1052 (1906)
- ML1308 (1906)
- ML1781 (1992)
- ML1782 (1992)
- ML1783 (1992)
- ML1784 (1992)
- ML1785 (1992)
- MPL1349 (1906)
- MPL1389(1906)
- MPL1400 (1906)
- MPL337 (1973)

Mannering Colliery

- CCL719 (1973)
- CCL721 (1973)

The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.

From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016.

The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice. It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.

Sincerely

Jenny Ehmsen

Principal Compliance Auditor

NSW Resources Regulator

Our Ref: EOTH25-00057

13 May 2025

Attention: Elliot Holland
Via email: elliott.holland@onward.au

RE: Request for Comment on Chain Valley and Mannering Colliery's compliance with their project approval ref: SSD-5465 and subsequent modification ref:PA06_0311

Dear Elliot,

Thank you for your email request 9 April 2025 regarding a request for comment on Chain Valley and Mannering Colliery's compliance with their project approval (ref: SSD-5465) and subsequent approved modification (ref:PA06_0311)

Subsidence Advisory NSW has not been made aware of any non-compliance by the coal mine operator with their project approval.

Please note: Subsidence Advisory NSW is not responsible for granting mining approvals or for mine regulation in NSW. Several NSW Government departments and agencies collaborate on different aspects of [mine regulation in NSW](#), under different legislation.

If you would like more information, please contact me on (02) 4908 4300 or subsidedevelopment@customerservice.nsw.gov.au.

Kind Regards,



Kieran Black
Technical Specialist, Subsidence Advisory NSW

From: Elliot Holland
Sent: Wednesday, 2 April 2025 8:43 AM
To: Gemma van Hemert
Subject: RE: NSW EPA - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery

From: Chamila Samarasinghe Vidane Arachchige
<chamila.samarasinghevidanearachchige@epa.nsw.gov.au>
Sent: Wednesday, April 2, 2025 8:42 AM
To: Elliot Holland <elliott.holland@onward.au>
Subject: RE: NSW EPA - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery

Good Morning Elliot,

I refer to your e mail to the NSW Environment Protection Authority (EPA) on 10 March 2025 requesting consultation as part of independent environmental audits for Chain Valley Colliery and Mannering Colliery under conditions 9 of SSD-5465 and PA06_0311.

The EPA regulates activities at the Mannering Colliery and Chain Valley Colliery under *Environment Operations Act 1997* and Environmental Protection Licences 191 and 1770, both issued to Great Sothern Energy Pty Ltd (trading name "Delta Coal").

The EPA encourages the preparation of audits as useful tools for industry to meet statutory obligations and to improve their environmental performance.

As a regulatory authority, the EPA administers and regulates statutes for environmental management and protection. As such, the EPA does not comment or review on such documents, as our role is to administer and regulate statutes for environmental management and protection that we regulate.

Please refer to the EPA's public register at <https://app.epa.nsw.gov.au/prpoeoapp/> where you can view the history of the Licence including License's associated notices and non-compliances.

If you have any questions relating to this matter, I can be contacted on the details undersigned.

Kind Regards
Chamila Samarasinghe
Operations Assistant
Operations
NSW Environment Protection Authority
T 02 9895 6472| M 0475 771 421| www.epa.nsw.gov.au

Working days: Monday to Friday



The EPA acknowledges the Traditional Custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal Elders past and present.

I work on Awabakal Country..

Report pollution and environmental incidents 131 555 or +61 2 9995 5555

From: Environment Line <info@environment.nsw.gov.au>
Sent: Monday, 10 March 2025 11:05 AM
To: EPA Delivery Hub Mailbox <EPA.DeliveryHub@epa.nsw.gov.au>
Subject: FW: NSW EPA - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery [ref:!00D7F06iTix.!500Mn0I0VFG:ref]

----- Forwarded Message -----

From: Elliot Holland [elliott.holland@onward.au]
Sent: 10/03/2025 08:00
To: info@epa.nsw.gov.au
Cc: gemma.vanhemert@onward.au; kurt.speirs@onward.au
Subject: NSW EPA - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery

Hi,

Delta Coal has engaged Onward Consulting Pty Ltd (Onward) to undertake independent environmental audits (IEAs) of the Chain Valley Colliery and Mannering Colliery. The IEAs will be prepared in accordance with:

1. the Independent Audit Guideline Post Approval Requirements (DPIE, 2020)
2. Schedule 6, Condition 9 of SSD-5465 for Chain Valley Colliery, with focus on
3. Schedule?6, Condition 9 of PA?06_0311 for Mannering Colliery

The focus of the IEAs will be:

4. conditions of:
 1. Project Approvals
 2. Environment Protection Licences
 3. Up to 1 July 2022: Leases issued under the *Mining Act 1992* (NSW),
 4. From 2 July 2022: Schedule 8A of Mining Regulation 2016 (NSW)
 5. Relevant water and groundwater licences
 6. Relevant groundwater licences
5. implementation of approved management plans
6. actions and recommendations from the 2022 IEA

7. evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of SSD-6764
8. assessment of environmental risks at the site during a site visit
9. recommending measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval

So that we may adequately address any concerns during the audit, I am writing to you to invite comment from yourself regarding Delta Coal's operations at Chain Valley Colliery and/or Mannering Colliery, as they relate to SSD-5465 and PA06_0311 respectively. I also invite you to comment on Delta Coal's performance with other requirements, as you may deem appropriate.

It would be appreciated if you could provide your comments regarding the performance of WCPL in meeting these obligations under the following headings:

10. compliance with requirements
11. progress to meeting requirements
12. details of incidents of non-compliance
13. adequacy of actions taken
14. adequacy of the requirements of the approval / licence

The site visit for the audit is currently scheduled to be conducted Thursday 10 April 2025.

It would be appreciated if you could submit your written comments by close of business Wednesday 9 April 2025.

All correspondence in relation to the IEA should be directed to Elliot Holland (Principal – Auditing & Compliance, Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.net.au.

Regards,

Elliot Holland

Principal – Auditing and Compliance

0427 863 567

elliott.holland@onward.net.au

Suite 2, 88 Tudor Street

Hamilton NSW 2303



Please note my work days are Monday-Thursday. For anything urgent, please contact Mike Gale at mike.gale@onward.net.au. Otherwise, I will respond to your email as soon as possible when I am back in the office.

Where you have received this email outside 8.30am to 5.00pm Monday to Friday, I am sending you this message now because it is a good time for me. Please know, I do not expect you to read, respond or action anything in this message outside your regular hours.

CONFIDENTIALITY NOTICE: This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender

immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person.

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment, Energy and Science.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



ref:!00D7F06iTix.!500Mn0I0VFG:ref

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: mmacdonald-hill@bigpond.com
Sent: Tuesday, 8 April 2025 1:42 PM
To: Elliot Holland
Cc: Lachlan McWha
Subject: RE: CCC Chairperson - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery

Hi Elliot,

I have advised the CCC members of the IEA being undertaken by yourself and requested any matters they wished to raise with you within the scope of the audit. As expected, I can confirm there aren't any concerns.

Thanks for the opportunity to comment.

Margaret MacDonald-Hill
0448 414 888

From: Elliot Holland <elliot.holland@onward.au>
Sent: Monday, 10 March 2025 4:58 AM
To: mmacdonald-hill@bigpond.com
Cc: Gemma van Hemert <gemma.vanhemert@onward.au>; Kurt Speirs <kurt.speirs@onward.au>
Subject: CCC Chairperson - 2025 IEAs Consultation: Chain Valley Colliery and Mannering Colliery
Importance: High

Hi Margaret,

Delta Coal has engaged Onward Consulting Pty Ltd (Onward) to undertake independent environmental audits (IEAs) of the Chain Valley Colliery and Mannering Colliery. The IEAs will be prepared in accordance with:

- the Independent Audit Guideline Post Approval Requirements (DPIE, 2020)
- Schedule 6, Condition 9 of SSD-5465 for Chain Valley Colliery, with focus on
- Schedule 6, Condition 9 of PA 06_0311 for Mannering Colliery

The focus of the IEAs will be:

- conditions of:
 - Project Approvals
 - Environment Protection Licences
 - Up to 1 July 2022: Leases issued under the *Mining Act 1992* (NSW),

- From 2 July 2022: Schedule 8A of Mining Regulation 2016 (NSW)
- Relevant water and groundwater licences
- Relevant groundwater licences
- implementation of approved management plans
- actions and recommendations from the 2022 IEA
- evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of SSD-6764
- assessment of environmental risks at the site during a site visit
- recommending measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval

So that we may adequately address any concerns during the audit, I am writing to you to invite comment from yourself regarding Delta Coal's operations at Chain Valley Colliery and/or Mannering Colliery, as they relate to SSD-5465 and PA06_0311 respectively. I also invite you to comment on Delta Coal's performance with other requirements, as you may deem appropriate.

It would be appreciated if you could provide your comments regarding the performance of WCPL in meeting these obligations under the following headings:

- compliance with requirements
- progress to meeting requirements
- details of incidents of non-compliance
- adequacy of actions taken
- adequacy of the requirements of the approval / licence

The site visit for the audit is currently scheduled to be conducted Thursday 10 April 2025.

It would be appreciated if you could submit your written comments by close of business Wednesday 9 April 2025.

All correspondence in relation to the IEA should be directed to Elliot Holland (Principal – Auditing & Compliance, Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.net.au.

Regards,
Elliot Holland
Principal – Auditing and Compliance
0427 863 567
elliott.holland@onward.au
Suite 2, 88 Tudor Street
Hamilton NSW 2303



Please note my work days are Monday-Thursday. For anything urgent, please contact Mike Gale at mike.gale@onward.net.au. Otherwise, I will respond to your email as soon as possible when I am back in the office.

Where you have received this email outside 8.30am to 5.00pm Monday to Friday, I am sending you this message now because it is a good time for me. Please know, I do not expect you to read, respond or action anything in this message outside your regular hours.

CONFIDENTIALITY NOTICE: This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person.

Our ref: OUT25/3191

Name: Elliot Holland

Address: Onward PTY

Email: elliott.holland@onward.au

28/03/2025

Subject: Chain Valley Colliery and Mannering Colliery - Independent Environmental Audit – (SSD-5465 and PA06_0311)

Dear Elliot,

I refer to your request seeking advice from the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group on an upcoming audit for the above matter. It is understood this consultation is in accordance with conditions of approval for the project.

NSW DCCEEW Water Group understands that the scope of the audit as outlined under the development consent and the reference guideline, “Independent Audit Post Approval Requirements (2020)” extends to at least the following:

- Identification of compliance requirements and documentation of any non-compliances.
- Assessment of the adequacy and implementation of management plans and sub plans.
- Assessment of compliance against relevant regulatory requirements and legislation.
- Assessment of compliance between actual and predicted impacts in the environmental assessment.
- Reporting requirements for management plans.
- Identification of strengths of the project in environmental management and opportunities for improvement.

NSW DCCEEW Water Group requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope:

- The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include:
 - Water Management Plans and related sub-plans e.g., Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan.

- Extraction Plans and related sub-plans e.g., Water Management Plan, Subsidence Management Plan.
- The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting.
- Water supply availability is clearly defined for the project.
- Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018.
- Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant.
- Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from.
- Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated.

Should you have any further queries in relation to this submission please do not hesitate to contact DCCEEW - Water Assessments at water.assessments@dpie.nsw.gov.au

Yours sincerely,



Tim Baker
Senior Project Officer
Water Assessments
NSW Department of Climate Change, Energy, the Environment and Water



Your ref your email dated 10 March 2025
Our ref DOC25/203512

Elliot Holland
Principal – Auditing & Compliance
Onward Consulting Pty Ltd

By email elliott.holland@onward.net.au

Dear Elliot,

Chain Valley Colliery and Mannering Colliery – 2025 Independent Environmental Audit Consultation

Thank you for your email request dated 10 March 2025 seeking advice from the Conservation Programs, Heritage & Regulation Group (CPHR) Group of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the 2025 Independent Environmental Audits for Chain Valley Colliery and Mannering Colliery.

CPHR has considered your request and does not have any comments regarding the performance of the Chain Valley Colliery and Mannering Colliery from a biodiversity, stormwater, flood or coastal management perspective, relating to

- Conditions of SSD 54-5
- Performance with other requirements or obligations
- Incidents of non-compliance.

If you have any further questions about this issue, please contact our Hunter Central Coast Planning Team at huntercentralcoast@environment.nsw.gov.au.

Yours Sincerely

Joe Thompson
**Director Hunter Central Coast
Conservation Programs, Heritage & Regulation Group (CPHR)**

10 April 2025

Appendix D

MP06_0311

Condition	Details	Compliance status	Relevant evidence	Commentary
Schedule 2 – ADMINISTRATIVE CONDITIONS				
OBLIGATIONS TO MINIMISE HARM TO THE ENVIRONMENT				
1	In addition to meeting the specific performance measures and criteria established under this development, the Applicant must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	Compliant	<ul style="list-style-type: none"> Site inspection conducted 16 April 2025. Site interviews conducted 16 April 2025. 	Conduct of the audit verifies compliance with the requirements of this condition, with no occurrences of an incident causing material harm to the environment have occurred over the reporting period.
TERMS OF APPROVAL				
2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with the statement of commitments in Appendix 3; (c) in accordance with the approved mine plan in Appendix 2; (d) in accordance with all written directions of the Planning Secretary; and (e) generally in accordance with the EA, EA (Mod 1), EA (Mod 2), EA (Mod 3), EA (Mod 4) and SEE (Mod 5).	Non-compliant (low risk)	<ul style="list-style-type: none"> This audit. Site inspection conducted 16 April 2025. Site interviews conducted 16 April 2025. 	This is a non-compliance in relation to the other eight non-compliances against relevant conditions of consent. These include: <ul style="list-style-type: none"> Schedule 3, Condition 2, 6, 11, 12, and 16 Schedule 5, Conditions 3, 5 and 13 Schedule 5, Condition 13 (administrative) As these conditions of consent have not been complied with, this condition is also non-compliant. Refer to corrective actions and opportunity for improvement (OFI) on each condition.
3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition 3(a).	Not triggered	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Site interviews conducted 16 April 2025. 	No directions have been given to Delta Coal over the reporting period.
4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in condition 2(e). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition 2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Note		Noted
Limits on Consent				
5	Mining operations may take place until 31 December 2027. Note: Under this consent, the Applicant is required to rehabilitate the site to the satisfaction of the Planning Secretary and RR. Consequently, this consent will continue to apply in all other respects other than the right to conduct mining operations until the site has been rehabilitated to a satisfactory standard.	Compliant	Annual Review for 2022, 2023 and 2024.	No coal has been produced from the site over the reporting period.
6	The Applicant must not extract more than 1.1 million tonnes of ROM coal a year from the site.	Compliant	Annual Review for 2022, 2023 and 2024.	No coal has been produced from the site over the reporting period.
6A	The Applicant must not transport more than 2.1 million tonnes of ROM coal a year from the site.	Compliant	Annual Review for 2022, 2023 and 2024.	The following amounts of coal were transported to Vales Point Power Station from Mannering Colliery over the reporting period: <ul style="list-style-type: none"> 2022: 954,103 t 2023: 931,016 t 2024: 1,018,784 t Tonnages were compliant with the requirements of this condition.
7	The Applicant must ensure all coal produced and/or received on the site is transported by overland conveyor to Vales Point Power Station.	Compliant	<ul style="list-style-type: none"> Annual Review for 2022, 2023 and 2024. Site inspection conducted 16 April 2025. Site interviews conducted 16 April 2025. 	A review of the annual review documentation and the site inspection identified that coal is being transported to Vales Point Power Station via overland conveyor.
8	Deleted			
Structural Adequacy				
9	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: <ul style="list-style-type: none"> Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for any proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of SANSW's approval before carrying out certain development in a Mine Subsidence District. 	Not triggered	<ul style="list-style-type: none"> Site interviews conducted 16 April 2025. Annual Review for 2022, 2023 and 2024. 	No new buildings have been constructed over the reporting period and therefore this condition remains not triggered.
Demolition				
10	The Applicant must ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Not triggered	<ul style="list-style-type: none"> Site interviews conducted 16 April 2025. Annual Review for 2022, 2023 and 2024. 	No demolition activity has occurred over the reporting period and therefore this condition remains not triggered.

Condition	Details	Compliance status	Relevant evidence	Commentary
	Operation of Plant and Equipment			
11	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	<ul style="list-style-type: none"> Site inspection conducted 16 April 2025. Site interviews conducted 16 April 2025. Servicing records (Ash Analyser, CCS001). Calibration certificates samples. Pulse tracking system samples. Training Needs Analysis sheet. Plant and equipment inspection form samples. 	The workorder tracking system, PULSE, was viewed during the site inspection. Delta Coal maintained a consistent schedule and record of calibration certificates for the flow meter, turbidity meter and meteorological station.
	Community Enhancement Program			
12	The Applicant must pay the affected councils \$0.02 for each tonne of ROM coal produced by the development for the purpose of improving water quality in the Lake Macquarie catchment. This payment must be: (a) shared equally by the affected councils; (b) made by the end of March 2009, and at yearly intervals thereafter; (c) calculated on the ROM coal produced in the previous calendar year; and (d) subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.	Not triggered	Annual Review for 2022, 2023 and 2024.	No coal has been produced by the site over the reporting period, and therefore VPA payments are not required.
	Community Consultative Committee			
13	A Community Consultative Committee (CCC) must be established for the development in accordance with the Department's Community Consultative Committee Guidelines: State Significant Developments (2019). The CCC must continue to operate during the life of the development, or other timeframe agreed by the Planning Secretary. Notes: <ul style="list-style-type: none"> The CCC is an advisory committee only. In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, affected Councils and the local community. 	Compliant	<ul style="list-style-type: none"> Community Consultative Committee (CCC) Meeting Minutes. CCC Annual reports for 2022, 2023 and 2024. 	The Community Consultative Committee (CCC) were held quarterly over the reporting period and in compliance with the requirements of this condition.
14	With the approval of the Planning Secretary, the Applicant may combine the CCC required by this development with any similar CCC required by a consent or approval for any adjoining mine subject to common, shared or related ownership or management.	Compliant	<ul style="list-style-type: none"> Community Consultative Committee (CCC) Meeting Minutes. CCC Annual reports for 2022, 2023 and 2024. 	The CCC for the Mannering Colliery is combined with Chain Valley Colliery.
	Evidence of Consultation			
15	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document; (b) provide details of the consultation undertaken including: i. the outcome of that consultation, matters resolved and unresolved; and ii. details of any disagreement remaining between the party consulted and the Applicant and iii. how the Applicant has addressed the matters not resolved	Compliant	<ul style="list-style-type: none"> Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (Rev 5 – dated 12/01/2024), with Department of Planning, Housing and Infrastructure (DPHI) approval (dated 23/01/2024). Environmental Management Strategy (EMS) (Rev 4 – dated 1/07/2024), with DPHI approval dated 22/10/2024, including consultation with former Department of Planning and Environment (DPE) (now DPHI) (dated 15/03/2023). Heritage Management Plan (HMP) (Rev 5 – dated 12/10/2022), with DPE approval (dated 27/09/2023), including consultation with Heritage NSW (dated 10/12/2022). Noise Management Plan (NMP) (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). Rehabilitation Management Plan (RMP) (Rev 2 – dated 15/01/2024). Water Management Plan (WMP) (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). Land Management Plan (LMP) (Rev 1 – dated 26/04/2016), with 	<p>A review of the management plans prepared under this consent have found that consultation with relevant parties have occurred during their preparation.</p> <p>The currently approved LMP has a consultation summary table in Section 1.4 and it is noted that for NSW DPE a TBD status remains, however, it is noted that in the version which currently sits with the department for approval, the summary table has shifted to Section 1.5 and is filled with dot points (indicating no comments) and appendix 2 is identified as having the consultation evidence, however, this appendix is blank, as a result, OFI03 has been identified.</p> <p>The WMP includes a consultation summary table in Section 1.4, with the response from NSW DPE remains identified as TBD. However, correspondence records with the former DPE (now DPHI) are included in Appendix 1 of the WMP. Therefore, OFI01 has been identified.</p> <p>The RMP and LMP do not have the consultation records appended as per other management plans, it is recommended they be appended for consistency.</p> <p>For the RMP, a consultation summary table is provided in Section 4.2 demonstrating consultation with the required parties. However, there is no consultation evidence provided in the appendix as per other plans. Therefore, OFI02 has been identified.</p> <p>OFI01: To accurately reflect consultation to date for the WMP, updated Table 1 in Section 1.4.</p> <p>OFI02: Update the RMP to include copies of emails / letters to / from BCD, DPIE Water (now DCCEEW Water Group), Central Coast Council, LMCC and the CCC as well as amend section 4 to have the rehabilitation objectives included as a simple table that follows the format of the rest of the documents main body, and the entire NSW RR document be appended instead.</p> <p>OFI03: Amend the LMP currently with the department so that Table 2 in Section 1.5 is filled with Nil if no comments were received from the stakeholder. Appendix 2 should also not be blank and should reflect the correspondence sent and received to demonstrate consultation was undertaken accordingly, even if no comments were received.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
	Staging, Combining and Updating Strategies, Plans or Programs			
16	<p>With the approval of the Planning Secretary, the Applicant may:</p> <p>(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);</p> <p>(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and</p> <p>(d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by an adjoining mining consent or approval, in common ownership or management.</p>	Compliant	<ul style="list-style-type: none"> Approval of suitably qualified and experienced persons from (dated 13/09/2022) for revisions to: <ul style="list-style-type: none"> Land Management Plan (LMP), combining Chain Valley Colliery (CVC) and Mannering Colliery (MC) and addressing stakeholder comments HMP, combining CVC and MC and addressing stakeholder comments EMS, NMP, AQGHGMP, RMP, WMP, Biodiversity Management Plan (BMP), Seagrass Management Plan, Benthic Communities Management Plan (BCMP), Public Safety Management Plan (PSMP), Built Features Management Plan (BFMP), Subsidence Monitoring Program (SMP) for MWS5 and NMA Pillar Extraction, and SMP for NMA First Workings and Lake Macquarie Extraction AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). EMS (Rev 4 – dated 1/07/2024), with DPHI approval dated 22/10/2024, including consultation with former DPE (now DPHI) (dated 15/03/2023). HMP (Rev 5 – dated 12/10/2022), with DPE approval (dated 27/09/2023), including consultation with Heritage NSW (dated 10/12/2022). NMP (Rev 1 – dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). RMP (Rev 2 – dated 15/01/2024). WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). 	<p>2022 IEA findings:</p> <p>Corrective Action (CA) 4: To ensure compliance with relevant conditions of MP06_0311, undertake updates to the WMP to ensure:</p> <ul style="list-style-type: none"> The requirements under modification 5 are captured. Baseline data for surface water quality is included Baseline data for groundwater quality is included <p>2025 IEA findings:</p> <p><u>Status of the 2022 IEA CA4:</u></p> <p>Not implemented. Whilst the WMP was updated in Nov 2022 and reflects the administrative change (mining operations extended until 31 December 2027 and transport of coal in the order of 2.1Mtpa) it does not provide context for any implications of this in terms of water management. Further, the baseline data for surface water and groundwater are still not included. This is discussed at Schedule 3, Conditions 11 and 12.</p> <p><u>2025 IEA findings:</u></p> <p>During the audit period, Delta Coal received approval to combine the LMP and HMP for CVC and MC operations. To date, Delta Coal has combined the following plans with their CVC operations:</p> <ul style="list-style-type: none"> AQGHGMP EMS (as well as an environmental monitoring program) NMP RMP LMP HMP <p>Plans were generally updated following the 2022 IEA and are within the review dates and frequency. It is noted, while the LMP has been revised and submitted for approval, it has not yet been approved by the DPHI. In addition, an update to the NMP is planned, but is pending approval of the Noise Mitigation Options Assessment required by SSD-5465 (i.e. CVC Development Consent).</p>
17	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Not triggered	Site interviews on 16 April 2025.	No direction has been received from the Planning Secretary during the audit period.
18	If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.	Not triggered	Site interviews on 16 April 2025.	No direction has been received from the Planning Secretary during the audit period.
	Application of Existing Strategies, Plans or Programs			
19	The Applicant must continue to apply existing management strategies, plans or monitoring programs approved prior to the approval of Modification 5, until the approval of a similar plan, strategy or program following the approval of Modification 5.	Compliant	<ul style="list-style-type: none"> WMP, with relevant versions being: <ul style="list-style-type: none"> Rev 6.1 – 3/02/2020 Rev 7 (dated 24/11/2022), with DPE approval (dated 10/01/2023) LMP (Rev 1 – dated 30/04/2016). 	<p>Since the approval of Modification 5 and the 2022 IEA, the only plans that had not been subject to revision and approval were the WMP and LMP.</p> <p>The revised WMP was submitted for approval in November 2022 and approved by the former DPE (now DPHI) on 10 January 2023. Conduct of the audit confirmed Rev 6.1 of the WMP was implemented by Delta Coal prior to approval of Rev 7 by the former DPE (now DPHI), after which Rev 7 has been implemented.</p> <p>As previously noted, while the LMP has been revised and submitted for approval, it has not yet been approved by the DPHI. The audit confirmed Rev 1 of the LMP is the version being implemented by Delta Coal.</p>
	Protection of Public Infrastructure			
20	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>a This condition does not apply to any damage to roads caused as a result of general road usage or to damage that has been compensated under the Mining Act 1992.</p>	Not triggered	<ul style="list-style-type: none"> Site inspection on 16 April 2025. Site interviews on 16 April 2025. 	<p>No damage to public infrastructure has occurred over the reporting period.</p> <p>This condition remains not triggered.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary																																																		
	Compliance																																																					
21	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development	Compliant	<ul style="list-style-type: none"> Site interviews conducted 16 April 2025. Site induction package. Toolbox Talks. Whole of mine refresher presentation in December 2024. 	The generic environmental induction was produced in the site audit, which was satisfactory with the requirements of this condition.																																																		
	Applicability of Guidelines																																																					
22	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of inclusion (or later update) in the condition.	Note	Site interviews conducted 16 April 2025.	Noted																																																		
23	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them	Not triggered	Site interviews conducted 16 April 2025.	No agreement with the Planning Secretary of this nature has occurred over the reporting period. This condition is therefore not triggered.																																																		
	SCHEDULE 3 - SPECIFIC ENVIRONMENTAL CONDITIONS																																																					
	NOISE																																																					
	Construction Noise																																																					
1	The Applicant must ensure that the noise generated by any construction work is managed in accordance with the requirements outlined in the Interim Construction Noise Guideline (DECC, 2009).	Not triggered	Annual Review for 2022, 2023 and 2024.	No construction work has been undertaken over the audit period.																																																		
	Operational Noise Criteria																																																					
2	<p>Except for the carrying out of construction works, the Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence on a privately-owned land.</p> <p><i>Table 1: Operational noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th>Noise Assessment Location</th> <th>Day L_{Aeq} (15 min)</th> <th>Evening L_{Aeq} (15 min)</th> <th>Night L_{Aeq} (15 min)</th> <th>Night L_{A1} (1 min)</th> </tr> </thead> <tbody> <tr> <td>4 – di Rocco</td> <td>40</td> <td>36</td> <td>36</td> <td>46</td> </tr> <tr> <td>5 - Keighran</td> <td>40</td> <td>39</td> <td>39</td> <td>49</td> </tr> <tr> <td>6 – Swan</td> <td>40</td> <td>37</td> <td>37</td> <td>47</td> </tr> <tr> <td>7 – Druitt</td> <td>40</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>8 – Macquarie Shores Home Village</td> <td>42</td> <td>42</td> <td>42</td> <td>47</td> </tr> <tr> <td>9 - Jeans</td> <td>40</td> <td>37</td> <td>37</td> <td>47</td> </tr> <tr> <td>11 - Jeans</td> <td>40</td> <td>36</td> <td>36</td> <td>46</td> </tr> <tr> <td>18 - Jeans</td> <td>40</td> <td>36</td> <td>36</td> <td>46</td> </tr> <tr> <td>20 – Knight and all other privately-owned residences</td> <td>40</td> <td>36</td> <td>36</td> <td>46</td> </tr> </tbody> </table> <p><small>* The Noise Assessment Locations referred to in Table 1 are shown in Appendix 4.</small></p> <p>Noise generated by the development must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017).</p>	Noise Assessment Location	Day L _{Aeq} (15 min)	Evening L _{Aeq} (15 min)	Night L _{Aeq} (15 min)	Night L _{A1} (1 min)	4 – di Rocco	40	36	36	46	5 - Keighran	40	39	39	49	6 – Swan	40	37	37	47	7 – Druitt	40	35	35	45	8 – Macquarie Shores Home Village	42	42	42	47	9 - Jeans	40	37	37	47	11 - Jeans	40	36	36	46	18 - Jeans	40	36	36	46	20 – Knight and all other privately-owned residences	40	36	36	46	Non-compliant (low risk)	<ul style="list-style-type: none"> NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). Annual Review for 2022, 2023 and 2024. Monthly noise monitoring reports for 2022, 2023, 2024 and 2025 (to date). Complaints data. 	<p>A 1 dB(A) exceedance of noise criteria at monitoring location RA2 was recorded on 15 December 2022, adjacent Macquarie Shores Home Village. The exceedance persisted in noise enhancing meteorological conditions. Therefore, Delta Coal ceased operations until commencement of the day-time period, as defined in the Noise Policy for Industry (NSW EPA, 2017).</p> <p>Follow-up monitoring was undertaken on 16 December 2022 when operations recommenced, confirming that the noise exceedance was not ongoing.</p> <p>The exceedance was reported and investigated, with the exceedance identified as likely to have been associated with a change in the aperture sizing in the CHPP Crusher 2 screen deck. Therefore, Delta Coal replaced the screen deck with the original sized apertures, and follow-up monitoring indicated a 1-2dB decrease in noise emissions.</p> <p>As appropriate actions were taken, no CA or OFI is deemed relevant.</p>
Noise Assessment Location	Day L _{Aeq} (15 min)	Evening L _{Aeq} (15 min)	Night L _{Aeq} (15 min)	Night L _{A1} (1 min)																																																		
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18 - Jeans	40	36	36	46																																																		
20 – Knight and all other privately-owned residences	40	36	36	46																																																		
3	The noise criteria in Table 1 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Not triggered	Site interviews conducted 16 April 2025.	No agreements with landholders have been made over the reporting period. This condition remains not triggered.																																																		

Condition	Details	Compliance status	Relevant evidence	Commentary
	Noise Operating Conditions			
3A	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) take all reasonable steps to minimise noise from construction and operational activities, including low frequency noise and other audible characteristics, associated with the development; (b) implement reasonable and feasible noise attenuation measures on all plant and equipment that will operate in noise sensitive areas; (c) operate a comprehensive noise management system commensurate with the risk of impact; (d) take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions when the noise criteria in this consent do not apply (see NPf1); (e) carry out regular attended noise monitoring (at least once a month, unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent; (f) regularly assess the noise monitoring data and modify or stop operations on the site to ensure compliance with the relevant conditions of this consent; and (g) implement reasonable and feasible measures to further enclose the structure housing the coal crusher in order to further mitigate noise from operational activities. 	Compliant	<ul style="list-style-type: none"> • NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). • Annual Review for 2022, 2023 and 2024. • Noise monitoring reports for 2022, 2023, 2024 and 2025 (to date). • Complaints data. 	Whilst one exceedance in relation to operational noise criteria occurred in the audit period, Delta Coal took all reasonable steps to address the exceedance and has measures in place commensurate to clauses (a)-(g) of the condition and is therefore considered compliant.
Rere	The Applicant must decommission the surface rotary breaker identified in the Statement of Commitments at Appendix 3, within 3 months of approval of Modification 5.	Not triggered		As the rotary breaker was decommissioned in July 2020, one month after the approval of MOD 5 and in the previous audit period, this condition is no longer applicable.
	Noise Management Plan			
3C	<p>The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) describe the measures to be implemented to ensure: <ul style="list-style-type: none"> i. compliance with the noise criteria and operating conditions in this consent; ii. best practice management is being employed; and iii. noise impacts of the development are minimised during noise-enhancing meteorological conditions when the noise criteria in this consent do not apply (see NPf1); (c) describe the noise management system in detail; and (d) include a monitoring program that: <ul style="list-style-type: none"> i. uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the development; ii. monitors noise at the nearest and/or most affected residences; iii. includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time; iv. adequately supports the noise management system; v. includes a protocol for distinguishing noise emissions of the development from any neighbouring developments; and vi. includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event. <p>The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.</p>	Compliant	<ul style="list-style-type: none"> • NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). • Quarterly Noise Monitoring Reports for 2022, 2023, 2024 and 2025 (to date). • Site inspection conducted 16 April 2025. • Annual reviews for 2022, 2023 and 2024. 	<p>2022 IEA findings: Recommendation 4: <i>The outcomes of the noise mitigation study currently being completed should be captured in a revised noise management plan and reflect any changes to monitoring, as relevant.</i></p> <p>2025 IEA findings: Status of 2022 IEA Recommendation 4: Not implemented; however, it is noted the Noise Mitigation Options Assessment relates to CVC and not MC. Therefore, this is discussed in the 2025 IEA for CVC and not here.</p> <p>2025 IEA findings: A review of the NMP against the requirements of this condition and monitoring data collected on site shows the NMP to be compliant with clauses (a), (b), (c) and (d) of this condition:</p>
	SUBSIDENCE			
4	The Applicant must limit its coal extraction methods on the site to first workings only, and must not undertake second workings.	Not triggered	<ul style="list-style-type: none"> • Annual Reviews for 2022, 2023 and 2024. • Site interviews conducted 16 April 2025. 	No coal has been extracted from the site over the reporting period.
5	Deleted			

Condition	Details	Compliance status	Relevant evidence	Commentary
	SOIL AND WATER			
	Discharge			
6	The Applicant must only discharge water from the site as expressly provided for by its EPL.	Non-compliant (low risk)	<ul style="list-style-type: none"> WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). Monitoring data from 2022, 2023, 2024 and 2025 (to date). Site inspection conducted 16 April 2025. 	<p>There were five exceedances in relation to EPL criteria for discharge during the audit period, resulting in a non-compliance (low risk). These are as follows:</p> <ul style="list-style-type: none"> 5 July 2022: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 7,032 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPPI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> review of the site water balance and TARP reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management 7 July 2022: Delta Coal received water quality analytical results on 11 July 2022 for a sample collected on 7 July 2022, which identified an exceedance of the 50 mg/L limit for total suspended solids (TSS), with a concentration of 166 mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPPI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> reviewed the site water balance and TARP reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management 12 October 2022: Delta Coal received water quality analytical results on 14 October 2022 for a sample collected on 12 October 2022, which identified an exceedance of the 50 mg/L limit for TSS, with a concentration of 59mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPPI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> review the site water balance and TARP undertaking investigations on methods to improvement the pond flocculant system 6 May 2024: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 4,382 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPPI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following actions: <ul style="list-style-type: none"> revision of the TARP system controlling the underground mine dewatering (TARP 00089), to assist in maximising surge capacity during high rainfall events re-positioning the silt curtain to ensure full functionality <p>Conduct of the audit determined, in response to these exceedances, Delta Coal demonstrated adaptive management and implemented appropriate mitigation and management measures. Therefore, no CA or OFI is deemed relevant.</p>
7	The Applicant must investigate, assess and report on the ecological interactions of minewater discharged from the site with the aquatic ecology of the unnamed creek and wetlands (and associated vegetation) between the minewater discharge point/s and Lake Macquarie. This report must: <ol style="list-style-type: none"> be prepared in consultation with EPA by suitably qualified expert/s whose appointment/s have been approved by the Planning Secretary; be submitted to the Planning Secretary by the end of March 2009; and assess the probable alterations in the local ecology attributable to previous and proposed minewater discharges and any future cessation of minewater discharge flows. 	Not triggered		This condition is not triggered as it was completed prior to the audit period.
	Water Management Plan			
8	The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: <ol style="list-style-type: none"> be prepared in consultation with DPIE Water by suitably qualified expert/s whose appointment/s have been approved by the Planning Secretary; be submitted the Planning Secretary by the end of March 2009; and include a: <ul style="list-style-type: none"> Site Water Balance; Erosion and Sediment Control Plan; Surface Water Monitoring Plan; and Groundwater Monitoring Program. <p>The Applicant must implement the Water Management Plan approved by the Planning Secretary.</p>	Compliant	WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023).	<p>The WMP was updated during the audit period to reflect changes imposed by Mod 5 and the direction of the 2022 IEA.</p> <p>The consultation summary table in Section 1.4 refers to the wrong consultation stakeholders (refers to DPE and DPI instead of DPIE Water) and also contains a status of TBD. See the OFI in Schedule 2, Condition 16, however, as consultation has occurred and rather the references are just incorrect, in part due to departmental name changes which routinely occur, a non-compliance has not been triggered.</p> <p>All other aspects of the condition are satisfied by the plan.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
	Site Water Balance			
9	The Site Water Balance must: (a) include details of: • sources and security of water supply; • water use on site; • water management on site; and (b) investigate, assess and report on measures to minimise water use by the development, particularly potable water from the Wyong Shire town water supply.	Compliant	WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023).	The WMP is compliant with the requirements of this condition with details of the Site Water Balance provided in Section 4.
	Erosion and Sediment Control			
10	The Erosion and Sediment Control Plan must: (a) be consistent with the requirements of Managing Urban Stormwater: Soils and Construction (Landcom 2004, or its latest version); (b) identify activities that could cause soil erosion and generate sediment; (c) describe measures to minimise soil erosion and the potential for transport of sediment from the site; (d) describe the location, function, and capacity of erosion and sediment control structures; and (e) describe what measures would be implemented to monitor and maintain the structures over time.	Compliant	WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023).	The erosion and sediment control measures are discussed in Section 5 and 6.5 of the WMP. Standard erosion controls are also presented in Appendix 4. The capacity of the dirty water system is presented in Section 3.4 and Table 2. The WMP is compliant with the requirements of this condition.
	Surface Water Monitoring Program			
11	The Surface Water Monitoring Plan must include: (a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the development; (b) surface water impact assessment criteria; (c) a program to monitor the impact of the development on surface water flows and quality; and (d) procedures for reporting the results of this monitoring.	Compliant	<ul style="list-style-type: none"> WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). Annual Review for 2022, 2023 and 2024. 	<p>2022 IEA findings: There is no presentation of baseline data for water quality, constituting an administrative non-compliance with condition 11(a) See CA4 from the 2022 IEA.</p> <p>2025 IEA findings: <u>Status of 2022 IEA CA4:</u> Closed out as historical baseline data for the project was not a condition in the original EA. Baseline data for rainfall in the area has been provided in Section 4, in response to 2022 Non-conformance although, no baseline data is given for other parameters such as water quality..</p> <p><u>2025 IEA findings:</u> The surface water impact criteria and monitoring program is generally satisfied in Section 6 of the WMP. Reporting procedures are documented in Section 7. Chemical analysis data is presented in the monthly environmental reports.</p>
	Groundwater Monitoring Program			
12	The Groundwater Monitoring Program must include: (a) detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality; (b) groundwater impact assessment criteria; (c) a program to monitor the impact of the development on groundwater levels, yield and quality; and (d) procedures for reporting the results of this monitoring.	Non-compliant (administrative)	<ul style="list-style-type: none"> WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). Annual Review for 2022, 2023 and 2024. 	<p>2022 IEA Findings: Clause (a) is not satisfied due to there being no details of baseline data for groundwater monitoring. See CA4 from the 2022 IEA.</p> <p>2025 IEA Findings: <u>Status of 2022 IEA CA4:</u> Not closed out as baseline data for groundwater has not been incorporated in the WMP. Therefore, the CA remains relevant and has been included as CA01 CA01: To ensure compliance with relevant conditions of MP06_0311, undertake updates to the WMP to ensure baseline data for groundwater quality is included.</p> <p><u>2025 IEA findings:</u> Clause (b), (c) and (d) are adequately described in Sections 6 and 7.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary														
	REHABILITATION																	
	<p>The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992. Rehabilitation must be generally consistent with the proposed rehabilitation described in the EA and the Statement of Commitments, and comply with the objectives in Table 2.</p> <p><i>Table 2: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Mine site (as a whole of the disturbed land and water)</td> <td>Safe, stable and non-polluting, fit for the purpose of the intended post-mining land use(s).</td> </tr> <tr> <td>Surface Infrastructure</td> <td>To be decommissioned and removed, unless the RR agrees otherwise.</td> </tr> <tr> <td>Portals and ventilation shafts</td> <td>To be decommissioned and made safe and stable.</td> </tr> <tr> <td>Other land affected by the development</td> <td>Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: <ul style="list-style-type: none"> local native plant species (unless the RR agrees otherwise); and a landform consistent with the surrounding environment. </td> </tr> <tr> <td>Built features damaged by mining operations</td> <td>Repair to pre-mining condition or equivalent unless: <ul style="list-style-type: none"> the owner agrees otherwise; or the damage is fully restored, repaired or compensated under the <i>Mine Subsidence Compensation Act 1961</i>. </td> </tr> <tr> <td>Community</td> <td>Ensure public safety.</td> </tr> </tbody> </table>	Feature	Objective	Mine site (as a whole of the disturbed land and water)	Safe, stable and non-polluting, fit for the purpose of the intended post-mining land use(s).	Surface Infrastructure	To be decommissioned and removed, unless the RR agrees otherwise.	Portals and ventilation shafts	To be decommissioned and made safe and stable.	Other land affected by the development	Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: <ul style="list-style-type: none"> local native plant species (unless the RR agrees otherwise); and a landform consistent with the surrounding environment. 	Built features damaged by mining operations	Repair to pre-mining condition or equivalent unless: <ul style="list-style-type: none"> the owner agrees otherwise; or the damage is fully restored, repaired or compensated under the <i>Mine Subsidence Compensation Act 1961</i>. 	Community	Ensure public safety.	Not triggered	Annual Review for 2022, 2023 and 2024.	No rehabilitation has been undertaken during the reporting period and therefore this condition remains not triggered. Delta Coal continued to implement their weed control program.
Feature	Objective																	
Mine site (as a whole of the disturbed land and water)	Safe, stable and non-polluting, fit for the purpose of the intended post-mining land use(s).																	
Surface Infrastructure	To be decommissioned and removed, unless the RR agrees otherwise.																	
Portals and ventilation shafts	To be decommissioned and made safe and stable.																	
Other land affected by the development	Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: <ul style="list-style-type: none"> local native plant species (unless the RR agrees otherwise); and a landform consistent with the surrounding environment. 																	
Built features damaged by mining operations	Repair to pre-mining condition or equivalent unless: <ul style="list-style-type: none"> the owner agrees otherwise; or the damage is fully restored, repaired or compensated under the <i>Mine Subsidence Compensation Act 1961</i>. 																	
Community	Ensure public safety.																	
13A	The Applicant must carry out all surface disturbing activities in a manner that, as far as practicable, minimises potential for dust emissions and must carry out rehabilitation of disturbed areas progressively, that is, as soon as reasonably practicable following disturbance.	Compliant	Site inspection conducted 16 April 2025.	The site inspection undertaken on 16 April 2025 found that the site was being operated in a way that minimises dust emissions. No rehabilitation has been undertaken on site.														
	Land Management Plan																	
14	<p>The Applicant must prepare a detailed Land Management Plan for the site to the satisfaction of the Planning Secretary. This plan must:</p> <p>(a) be submitted to the Planning Secretary by the end of September 2008;</p> <p>(b) be prepared by suitably qualified expert/s whose appointment/s have been endorsed by the Planning Secretary;</p> <p>(c) be prepared in consultation with RR, BCD and affected councils; and</p> <p>(d) include measures to:</p> <ul style="list-style-type: none"> minimise visual impacts; control weeds, feral pests and access; and manage bushfires; and <p>(e) provide details of who is responsible for monitoring, reviewing and implementing the plan.</p> <p>Prior to the end of April 2016, the Applicant must revise the Land Management Plan to incorporate the measures required to implement its commitments described in new row 2 of the Terrestrial Ecology section of its Statement of Commitments, and submit it to the Planning Secretary for approval.</p> <p>The Applicant must implement the Land Management Plan approved by the Planning Secretary.</p>	Compliant	<ul style="list-style-type: none"> LMP (Rev 1 – dated 26 April 2016). Annual Review for 2024. 	<p>2022 IEA findings: <i>Recommendation 1: Attach the Bushfire Management Plan to the Land Management Plan.</i></p> <p>2025 IEA findings: <u>Status of 2022 IEA Recommendation 1:</u> Not yet completed, while conduct of the audit confirmed the LMP has been revised and submitted for approval, (not yet approved by DPHI) and whilst no Bushfire Management Plan is attached, Section 4 of the LMP is considered to adequately address this recommendation.</p> <p><u>2025 IEA findings:</u> The audit confirmed the LMP is being implemented on-site.</p>														
14A	The Applicant must implement its preferred option of the three options set out in new row 2 of the Terrestrial Ecology section of its Statement of Commitments by 1 December 2016, following consultation with BCD and to the satisfaction of the Planning Secretary.	Not triggered		This condition is not relevant to the reporting period and remains not triggered.														
	Rehabilitation Management Plan																	
15	<p>The Applicant must prepare a Rehabilitation Management Plan for the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992. This plan must:</p> <p>(a) be submitted within 3 months of approval of Modification 2 to the RR prior to carrying out any disturbing activities of the development, unless otherwise agreed by the Planning Secretary;</p> <p>(b) be prepared in accordance with RR guidelines and in consultation with the Department, BCD, EPA, DPIE Water, affected councils and the mine's CCC;</p> <p>(c) incorporate and be consistent with the rehabilitation objectives in the EA, Statement of Commitments and Table 2 above;</p> <p>(d) integrate and build on, to the maximum extent practicable, the other management plans required under this consent; and</p> <p>(e) address all aspects of mine closure and rehabilitation, including post-mining land use domains, rehabilitation objectives, completion criteria and rehabilitation monitoring and management.</p> <p>Note: The approved Mining Operations Plan (which will become the REMM once the Mining Act Amendments have commenced) required as a condition of the Mining Lease(s) issued in relation to this development, will satisfy the requirements of this condition for a Rehabilitation Plan.</p>	Compliant	<ul style="list-style-type: none"> RMP (Rev 2 – dated 15/01/2024). CVC Forward Program Thursday 7 July 2022 to Sunday 6 July 2025 (24/01/2023). Annual Rehabilitation Report and Forward Program 2023 (12/09/2023). 	<p>2022 IEA findings: <i>Recommendation 2: Whilst not a non-compliance, it is recommended that the revision date for Amendment 2 be included in the document, and the approval letter from Resources Regulator appended to Section 17.</i></p> <p>2025 IEA findings: <u>Status of 2022 IEA Recommendation 2 and 2025 IEA findings:</u> Closed out as since the last IEA, Delta Coal has developed a new overarching RMP in accordance with the requirements of the <i>Mining Act 1992</i> (NSW) and Standard conditions (Schedule 8A, Part 2) Mining Regulation 2016 (NSW), which replaced the aforementioned Mining Operations Plan (MOP). The RMP encompasses CVC and MC and, per the note to this condition, satisfies the requirements of this condition.</p>														

Condition	Details	Compliance status	Relevant evidence	Commentary																				
	AIR QUALITY																							
	Impact Assessment Criteria																							
16	<p>The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any residence on privately-owned land.</p> <p><i>Table 3: Air quality criteria</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Particulate matter < 2.5 µm (PM_{2.5})</td> <td>Annual</td> <td>^{a, c} 8 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 25 µg/m³</td> </tr> <tr> <td rowspan="2">Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^{a, c} 25 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^{a, c} 90 µg/m³</td> </tr> <tr> <td rowspan="2">^d Deposited dust</td> <td rowspan="2">Annual</td> <td>^b 2 g/m²/month</td> </tr> <tr> <td>^a 4 g/m²/month</td> </tr> </tbody> </table> <p>Notes:</p> <p>a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).</p> <p>c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.</p> <p>d Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p>	Pollutant	Averaging period	Criterion	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³	24 hour	^b 25 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³	24 hour	^b 50 µg/m ³	Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³	^d Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	Non-compliant (low risk)	<ul style="list-style-type: none"> AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). Monitoring data for 2022, 2023, 2024 and 2025 (to date). Site inspection conducted 16 April 2025. Site interviews conducted 16 April 2025. 	<p>2022 IEA findings: CA5: <i>Ensure that exceedances of criteria are reported.</i></p> <p>2025 IEA findings: Status of 2022 IEA CA5: Closed out with all air quality exceedances reported accordingly.</p> <p>2025 IEA findings: During the audit period, there were two non-compliances recorded against depositional dust criteria:</p> <ul style="list-style-type: none"> 21 April 2022: A result of 3.2 g/m²/month was measured at DG2, which was an exceedance of the maximum monthly increase criteria, with the result for the previous month being 0.1 g/m²/month. The exceedance was reported to the NSW EPA and the former DPE (now the DPHI), with an investigation determining the result was attributable to the nearby maintenance (i.e. cleaning) of transmission towers being undertaken by AusGrid approximately 95 m from DG2. 4 November 2022: A result of 9.2 g/m²/month was measured at DG1, which was an exceedance of the maximum monthly increase criteria, with the result for the previous month being 0.6 g/m²/month. The exceedance was reported to the NSW EPA and the former DPE (now the DPHI), with an investigation noting the result as being anomalous with other nearby dust gauges and a result of contamination at DG1. <p>As the exceedances were reported and investigated appropriately, and are not ongoing, no CA or OFI has been deemed relevant.</p>
Pollutant	Averaging period	Criterion																						
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³																						
	24 hour	^b 25 µg/m ³																						
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³																						
	24 hour	^b 50 µg/m ³																						
Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³																						
^d Deposited dust	Annual	^b 2 g/m ² /month																						
		^a 4 g/m ² /month																						
16A	The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement	Not triggered		No agreement of this nature has been made with landowners around air quality monitoring.																				
	Air Quality and Greenhouse Gas Management Plan																							
17	<p>The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) describe the measures to be implemented to ensure:</p> <ol style="list-style-type: none"> capture and flaring of methane produced by underground coal mining; compliance with the air quality criteria and operating conditions in this consent; best practice management is being employed (including in respect of minimisation of greenhouse gas emissions from the site and energy efficiency); and the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; <p>(c) describe the air quality management system in detail; and</p> <p>(d) include an air quality monitoring program, undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007), that:</p> <ol style="list-style-type: none"> uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of operations; adequately supports the air quality management system; and includes a protocol for identifying an air quality incident and notifying the Department and relevant stakeholders of any such incident. <p>Note: "Methane produced by underground coal mining" does not include methane within mine ventilation air.</p>	Compliant	AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024).	<p>2022 IEA findings: CA6: <i>Update the AQGHGMP to include TARPs.</i></p> <p>2025 IEA findings: Status of 2022 IEA CA6: Closed out with the AQGHGMP most recently updated in January 2024, with a TARP now included in the plan as Appendix G.</p> <p>2025 IEA findings: Clause (a) is evidenced in Appendix F of the plan. Clause (b) and (c) is adequately addressed in Sections 3,4 and 5. Clause (d) is adequately addressed in Sections 4, 5 and 6.</p> <p>Based on the above, MC is compliant with the condition. However, while a TARP has now been attached to the plan as Appendix G, it is noted that this Appendix heading is not present in the table of contents on the second and third pages of the plan. Therefore, OFI04 has been identified.</p> <p>OFI04: <i>Update the table of contents of the AQGHGMP to reflect Appendix G attached.</i></p>																				
17A	The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"> AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). Site interviews conducted 16 April 2025. Site inspection conducted 16 April 2025. 	Delta Coal are implementing the approved AQGHGMP.																				

Condition	Details	Compliance status	Relevant evidence	Commentary
	METEOROLOGICAL MONITORING			
17B	For the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that: (a) complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007); and (b) is capable of measuring meteorological conditions in accordance with the NSW Noise Policy for Industry (EPA, 2017), unless a suitable alternative is approved by the Planning Secretary following consultation with the EPA.	Compliant	<ul style="list-style-type: none"> AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). Site inspection conducted 16 April 2025. 	The meteorological station on the site is compliant with the requirements of this condition.
	HERITAGE			
	Protection of Aboriginal Heritage			
18	The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage item located outside the approved disturbance area, beyond those predicted in the documents listed in condition 2(e) of Schedule 2.	Not triggered		No incidents involving Aboriginal Heritage have occurred on the site over the reporting period, therefore this condition remains not triggered.
	Heritage Management Plan			
18A	The Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This Plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with BCD and Registered Aboriginal Parties; (c) include consideration of the Aboriginal and non-Aboriginal cultural context and significance of the site; (d) describe the procedures and management measures to be implemented on the site or within any offset area to: i. ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions; ii. protect, monitor and manage identified non-Aboriginal heritage, Aboriginal objects and Aboriginal places (including any proposed archaeological investigations of potential subsurface objects and salvage of objects within the approved disturbance area) in accordance with the commitments made in the document/s listed in condition 2(e) of Schedule 2; iii. protect non-Aboriginal heritage, Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development; iv. manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development; v. maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and v. facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site; and (e) include a strategy for the care, control and storage of Aboriginal objects salvaged on site, both during the life of the development and in the long term. The Applicant must implement the Heritage Management Plan approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"> HMP (Rev 5 – dated 12/10/2022), with DPE approval (dated 27/09/2023), including consultation with Heritage NSW (dated 10/12/2022). Site interviews conducted 16 April 2025. Site inspection conducted 16 April 2025. 	<p>The HMP was updated during the reporting period, following the 2022 IEA and approved in September 2023.</p> <p>Section 1.5 outlines the consultation completed in the preparation of the plan, which is satisfactory of clause (b).</p> <p>The Aboriginal cultural context is adequately described in Section 3 and non-Aboriginal cultural context in Section 4.</p> <p>Section 5 of the plan adequately describes the procedures and measures in place to protect and manage the sites.</p> <p>Section 8.1 of the HMP details that the plan should be reviewed, and if necessary, updated if an incident report has been submitted. As discussed in Schedule 3 Condition 21, an incident report was submitted to DPIE during 2020 as an unexpected find occurred. In addition, the HMP was revised to cover these additional sites and was approved as part of the Extraction Plan for Miniwall S5 and NPA Extraction Plan on 6 April 2021.</p> <p>Management of Aboriginal item salvage is described in Section 5.1.3 and is compliant with the requirements of this condition.</p>
	VISUAL			
19	The Applicant must: (a) ensure no outdoor lights shine above the horizontal; (b) ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting; (c) take all practicable measures to mitigate off-site lighting impacts from the development; and (d) minimise the visual impacts of the development, to the satisfaction of the Planning Secretary.	Compliant	<ul style="list-style-type: none"> Complaints and Incidents Register. Site inspection conducted 16 April 2025. 	Review of relevant documentation and conduct of site interviews indicates management of visual and lighting impacts has been undertaken satisfactorily, with no complaints received during the audit period.
	TRANSPORT			
	Monitoring of Coal Transport			
20	The Applicant must keep records of the amount of coal transported from the site each year, and include these records in the Annual Review.	Compliant	Annual Reviews for 2022, 2023 and 2024.	<p>Coal transport is presented in the annual reviews. The following amounts of coal were transported to Vales Point Power Station from the site using the conveyor system each year of the audit period:</p> <ul style="list-style-type: none"> 2022: 954,103 t 2023: 931,016 t 2024: 1,018,784

Condition	Details	Compliance status	Relevant evidence	Commentary
	Ruttleys Road Intersection			
21	<p>The Applicant must:</p> <p>(a) complete a road safety audit of the intersection of Ruttleys Road and Mannering Colliery Access Road by the end of March 2009;</p> <p>(b) provide copies of this audit to TfNSW, Central Coast Council and the Planning Secretary within one month of its completion; and</p> <p>(c) within 3 months of approval of Modification 2, install additional sections of guardrail (safety barrier) on the eastern side of Ruttleys Road between the Mannering Colliery access road and existing sections of guardrail further to the north;</p> <p>(d) be responsible for the maintenance and upkeep of the pavement of the Ruttleys Road/Mannering Colliery access road intersection whilst the site is used for mining purposes or until the intersection is upgraded to a Type CHR intersection treatment; and</p> <p>(e) prior to the number of workers (direct employees and contractors) at Mannering Colliery exceeding 70, the Applicant must upgrade the Ruttleys Road/Mannering Colliery access road intersection to a Type CHR treatment in accordance with Construction Certificate SCC/69/2011 issued by Central Coast Council, or later updated versions of this Construction Certificate;</p> <p>to the satisfaction of the Planning Secretary.</p>	Not triggered		<p>Clauses (a) to (c) of this condition are outside of the scope of the reporting period, while Clause (d) and (e) have not been triggered.</p>
	BUSHFIRE MANAGEMENT			
22	<p>The Applicant must:</p> <p>(a) ensure that the development:</p> <ul style="list-style-type: none"> • provides for asset protection in accordance with the relevant requirements in the Planning for Bushfire Protection (RFS, 2006) guideline; and • ensure that there is suitable equipment to respond to any fires on the site; and <p>(b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.</p>	Compliant	<ul style="list-style-type: none"> • Biodiversity Management Plan (BMP) (Rev 5 – dated 1/12/2019). • Site inspection conducted 16 April 2025. • Site interviews conducted 16 April 2025. • STD 00110 – Fire Water Reticulation and Bushfire Fighting (Rev 2 – Dated 2/06/2022). 	<p>2022 IEA findings: Recommendation 3: <i>It is recommended that the standard be reviewed as the review date was 24 April 2021.</i></p> <p>2025 IEA findings: Status of 2022 IEA Recommendation 3: Closed out with an updated standard dated June 2022.</p> <p><u>2025 IEA findings</u> The BMP provides the required details on bushfire management in Section 9. The site inspection also confirmed the availability of suitable equipment to respond to any fires on the site, while the site interviews noted assistance to the RFS and emergency services has not been required during the audit period.</p>
	WASTE			
23	<p>The Applicant must:</p> <p>(a) monitor the amount of waste generated by the development;</p> <p>(b) investigate ways to minimise waste generated by the development;</p> <p>(c) implement reasonable and feasible measures to minimise waste generated by the development; and</p> <p>(d) report on waste management and minimisation in the Annual Review,</p> <p>to the satisfaction of the Planning Secretary.</p>	Compliant	<ul style="list-style-type: none"> • Annual Review for 2022, 2023 and 2024. • Waste tracking spreadsheets. 	<p>Waste tracking and receipts were viewed prior to the site audit. Delta Coal were found to be in compliance with the requirements of this condition.</p> <p>Waste and recycling is reported upon in Section 4.7 of the Annual Reviews.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
	EXPLORATION ACTIVITIES AND SURFACE INFRASTRUCTURE			
	Exploration Activities and Minor Surface Infrastructure Management Plan			
24	<p>Prior to carrying out exploration activities on the site under this consent that would cause temporary surface disturbance, or exploration activities within the waters or lake bed of Lake Macquarie, or the construction and/or upgrade of minor surface infrastructure on the site, the Applicant must prepare an Exploration Activities and Minor Surface Infrastructure Management Plan for the development to the satisfaction of the Planning Secretary. This Plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) be prepared in consultation with RR, NSW Maritime Division of TfNSW, NSW Fisheries and BCD;</p> <p>(c) include a description of the measures to be implemented for:</p> <ol style="list-style-type: none"> i. managing exploration activities; ii. managing construction and operation of minor surface infrastructure and associated access tracks; iii. consulting with and if necessary compensating affected landowners; iv. assessing noise, air quality, traffic, biodiversity, heritage, public safety and other impacts; v. beneficial re-use or flaring of drained hydrocarbon gases, wherever practicable; vi. avoiding significant impacts and minimisation of impacts generally; vii. avoiding or minimising impacts on threatened species, populations or their habitats and EECs; viii. minimising clearance and disturbance of native vegetation (including seagrasses); ix. minimising and managing erosion and sedimentation; and <p>(d) rehabilitating disturbed areas.</p> <p>Note: Consultation with NSW Maritime Division of TfNSW and NSW Fisheries is not required for land-based exploration activities and minor surface infrastructure.</p> <p>The Applicant must implement the Exploration Activities and Minor Surface Infrastructure Management Plan as approved by the Planning Secretary.</p>	Not triggered	Annual Review for 2022, 2023 and 2024. Site interviews conducted 16 April 2025.	No exploration has occurred over the reporting period, therefore this condition remains not triggered.
	SCHEDULE 4 ADDITIONAL PROCEDURES			
	INDEPENDENT REVIEW			
1	<p>If a landowner considers the development to be exceeding the impact assessment criteria in schedule 3, then he/she may ask the Planning Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Planning Secretary is satisfied that an independent review is warranted, the Applicant must within 2 months of the Planning Secretary's decision:</p> <p>(a) consult with the landowner to determine his/her concerns;</p> <p>(d) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to conduct monitoring on the land, to:</p> <ul style="list-style-type: none"> • determine whether the development is complying with the relevant impact assessment criteria in schedule 3; and • identify the source(s) and scale of any impact on the land, and the development's contribution to this impact; and • give the Planning Secretary and landowner a copy of the independent review. 	Not triggered	Site interviews conducted 16 April 2025.	No independent reviews of this nature were required during the audit period.
2	<p>If the independent review determines that the development is complying with the relevant impact assessment criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Planning Secretary.</p>	Not triggered	Site interviews conducted 16 April 2025.	As above.
3	<p>If the independent review determines that the development is not complying with the relevant impact assessment criteria in schedule 3, and that the development is primarily responsible for this non-compliance, then the Applicant must:</p> <p>(a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the development complies with the relevant criteria; and</p> <p>(e) conduct further monitoring to determine whether these measures ensure compliance.</p> <p>If the additional monitoring referred to above subsequently determines that the development is complying with the relevant criteria in schedule 3, or the Applicant and landowner enter into a negotiated agreement to allow these exceedances, then the Applicant may discontinue the independent review with the approval of the Planning Secretary</p>	Not triggered	Site interviews conducted 16 April 2025.	As above.

Condition	Details	Compliance status	Relevant evidence	Commentary
4	<p>If the independent review determines that the relevant criteria in schedule 3 are being exceeded, but that more than one development is responsible for this non-compliance, then the Applicant must, together with the relevant development/s:</p> <p>(a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the relevant criteria are complied with; and</p> <p>(f) conduct further monitoring to determine whether these measures ensure compliance; or</p> <p>(g) secure a written agreement with the landowner and other relevant developments to allow exceedances of the criteria in schedule 3, to the satisfaction of the Planning Secretary.</p> <p>If the additional monitoring referred to above subsequently determines that the developments are complying with the relevant criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Planning Secretary.</p>	Not triggered	Site interviews conducted 16 April 2025.	As above.
5	<p>If the landowner disputes the results of the independent review, either the Applicant or the landowner may refer the matter to the Planning Secretary for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Planning Secretary shall refer the matter to an Independent Dispute Resolution Process</p>	Not triggered	Site interviews conducted 16 April 2025.	As above.
SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING				
ENVIRONMENTAL MANAGEMENT				
Environmental Management Strategy				
1	<p>The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:</p> <p>(a) provide the strategic framework for environmental management of the development;</p> <p>(b) identify the statutory approvals that apply to the development;</p> <p>(h) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(a) set out the procedures to be implemented to:</p> <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the development; receive record, handle and respond to complaints; resolve any disputes that may arise during the course of the development; respond to any non-compliance and any incident; and respond to emergencies; and <p>(i) include:</p> <ul style="list-style-type: none"> references to any strategies, plans and programs approved under the conditions of this consent; and a clear plan depicting all the monitoring to be carried out under the conditions of this consent. <p>The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.</p>	Compliant	EMS (Rev 4 – dated 1/07/2024), with DPHI approval dated 22/10/2024, including consultation with DPE (dated 15/03/2023).	The EMS is compliant with the requirements of this condition.
Adaptive Management				
2	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and performance measures in this consent. Any exceedance of these criteria or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement reasonable remediation measures as directed by the Planning Secretary.</p>	Compliant	Various incident reports were provided for the audit period.	<p>A review of the incident reports provided by Delta Coal for the audit period showed general compliance with the requirements of this condition.</p> <p>Noise complaints had been prevalent over the last audit period, with a total of 49 in 2019, 40 in 2020 and 38 in 2021, throughout this audit period only one complaint was received in 2022, zero in 2023 and zero in 2024, demonstrating adaptive management.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
	Management Plan Requirements			
3	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>(a) a summary of relevant background or baseline data;</p> <p>(b) details of:</p> <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); any relevant limits or performance measures and criteria; and the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>(c) any relevant commitments or recommendations identified in the document/s listed in condition 2(e) of Schedule 2;</p> <p>(d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>(e) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the development; and effectiveness of the management measures set out pursuant to condition 2(e) of Schedule 2; <p>(f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(g) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(h) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incident, non-compliance or exceedance of any impact assessment criterion or performance criterion; complaint; or failure to comply with other statutory requirements; <p>(i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and</p> <p>(j) a protocol for periodic review of the plan.</p> <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</p>	Non-compliant (administrative)	<ul style="list-style-type: none"> AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). HMP (Rev 5 – dated 12/10/2022), with DPE approval (dated 27/09/2023), including consultation with Heritage NSW (dated 10/12/2022). LMP (Rev 1 – dated 26 April 2016). NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). RMP (Rev 2 – dated 15/01/2024). 	<p>Each management plan required for the development has:</p> <ul style="list-style-type: none"> AQGHGMP: The AQGHG MP was updated on 12 January 2024 and is found to be compliant with the requirements of this condition. WMP: The WMP provides historical data for surface water; however, baseline data for groundwater is not included in the WMP. Therefore, CA01 has been identified. The WMP is otherwise compliant with this condition where appropriate. HMP: The HMP was updated on 12 October 2022 and is compliant with this condition. LMP: While conduct of the audit confirming the LMP has been revised and submitted for approval, it has not yet been approved by the DPHI. The LMP is otherwise compliance with this condition. NMP: The NMP was updated on 20 April 2022 and is compliant with this condition. RMP: The RMP is not consistent with the requirements of this condition; however, the RMP has been prepared in accordance with the approved form, in accordance with the requirements of the Standard conditions (Schedule 8A, Part 2) Mining Regulation 2016 (NSW). As per Condition 15 of Schedule 3. Therefore, no issue of compliance has been identified. <p>CA01: To ensure compliance with relevant conditions of MP06_0311, undertake updates to the WMP to ensure baseline data for groundwater quality is included.</p>
4	The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.	Compliant	<ul style="list-style-type: none"> AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). 	The AQGHGMP, NMP, and the WMP are consistent with EPL 191.
	REVISION OF STRATEGIES, PLANS AND PROGRAMS			
5	<p>Within three months of:</p> <p>(a) the submission of an incident report under condition 6;</p> <p>(b) the submission of an Annual Review under condition 8;</p> <p>(c) the submission of an Independent Environmental Audit under condition 9; or</p> <p>(d) the approval of any modification of the conditions of this consent (unless the conditions require otherwise),</p> <p>(e) the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.</p> <p>If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.</p> <p>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:</p>	Non-compliant (administrative)	<ul style="list-style-type: none"> AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). HMP (Rev 5 – dated 12/10/2022), with DPE approval (dated 27/09/2023), including consultation with Heritage NSW (dated 10/12/2022). LMP (Rev 1 – dated 26 April 2016). NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). RMP (Rev 2 – dated 15/01/2024). EMS (Rev 4 – dated 1/07/2024), with DPHI approval dated 22/10/2024, including consultation with DPE (dated 15/03/2023). Annual review for 2022, 2023 and 2024 	<p>The audit was able to verify review of strategies, plans and/or programs in accordance with Schedule 5, Condition 5 where reviews resulted in updates. However, the audit was unable to confirm reviews of strategies, plans and/or programs were undertaken in accordance with Schedule 5, Condition 5 where reviews determined updates were not required. As such, the audit was unable to confirm compliance with the requirements of Schedule 5, Condition 5.</p> <p>After conduct of the site inspection and interviews, a review tracking spreadsheet was prepared by Delta Coal to track these reviews. Therefore, no CA deemed relevant. However, to ensure the dates used on the cover page of plans is consistent, OFI05 has been identified.</p> <p>OFI05: To remove discrepancy and ensure consistency across plans, the cover page for management plans should be updated have a consistent cover page identifying:</p> <ul style="list-style-type: none"> the date the plan was submitted/prepared approval date last review date next review date

Condition	Details	Compliance status	Relevant evidence	Commentary
	REPORTING AND AUDITING			
	Incident Notification			
6	The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name) and set out the location and nature of the incident.	Compliant	Incident notifications and reports provided for the audit period.	A review of several incident reports provided by Delta Coal have found that the reporting procedures are satisfactory with the requirements of this condition.
	Non-Compliance Notification			
7	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Compliant	Non-compliance notifications and reports provided for the audit period.	Review of relevant data verifies compliance with the requirements of this condition.
	Annual Review			
8	By the end of March in each year after the commencement of the development, or other timeframe agreed by the Planning Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Planning Secretary. This review must: (a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current financial/calendar year; (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, including a comparison of these results against the: • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the document/s listed in condition 2(e) of Schedule 2; (c) identify any non-compliance or incident which occurred in the previous calendar year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence; (d) evaluate and report on: • the effectiveness of the noise and air quality management systems; and • compliance with the performance measures, criteria and operating conditions of this consent; (e) identify any trends in the monitoring data over the life of the development; (f) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (g) describe what measures will be implemented over the next calendar year to improve the environmental performance of the development. Copies of the Annual Review must be submitted to the affected Councils and made available to the CCC and any interested person upon request.	Compliant	Annual Review for 2022, 2023 and 2024.	2022 IEA findings: <i>CA7: Include historical trends in noise monitoring data in the annual review.</i> 2025 IEA findings: <u>Status of 2022 IEA CA7:</u> Closed out with the annual reviews making reference to section 6.8, which has data dating back to January 2020. <u>2025 IEA findings:</u> A review of the 2022, 2023 and 2024 annual review documents prepared in compliance with the requirements of this condition shows that: • The annual review documents adequately describe the events at the development over the reporting period. • Non-compliances are identified in the Statement of Compliance and Section 11. • Environmental performance is reported upon in Section 6 and Section 7. Measures to be implemented over the next reporting period are described in Section 12. The Annual reviews were found to be compliant with the requirements of this condition.
	Independent Environmental Audit			
9	By the end of February 2022, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must: (a) led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary; (b) be led and conducted by a suitably qualified, experienced and independent team of experts (including any be expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary; (c) be carried out in consultation with the relevant agencies and the CCC; (d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals); (e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent; (f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and (g) be conducted and reported to the satisfaction of the Planning Secretary.	Compliant	This audit	This audit. Delta Coal commissioned the auditors prior to the end of February 2025.
10	Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.	Compliant	Email correspondence of IEA submission to Planning Secretary and any other agencies	The 2022 IEA was submitted on the 20 June 2022, whilst an initial start-up teleconference meeting was held on March 11 2022, the site inspection enabling compliance review was on 2 May 2022, as this was within three months of commencing, Delta Coal is compliant with this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary
	Monitoring and Environmental Audits			
11	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit. For the purposes of the condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development	Note		Noted
12	Noise and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Schedule 3, providing that these representative monitoring locations are set out in the respective management plan/s.	Compliant	Noise Management Pla (Rev 1 - 20 April 2022)	Noise monitoring has been undertaken at representative locations as detailed in the NMP.
	ACCESS TO INFORMATION			
13	Until the completion of all rehabilitation required under this consent, the Applicant must: (a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website: <ul style="list-style-type: none"> • the documents referred to in condition 2(e) of Schedule 2 of this consent; • all current statutory approvals for the development; • all approved strategies, plans and programs required under the conditions of this consent; • the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; • minutes of CCC meetings; • regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • a summary of the current progress of the development; • contact details to enquire about the development or to make a complaint; • a complaints register, updated monthly; • the Annual Reviews of the development; • audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report; and • any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	Non-compliant (administrative)	Delta Coal Website (https://www.deltacoal.com.au/)	<p>2022 IEA findings: <i>CA8: Ensure that incidents from May 2019 to December 2019 are included on the public complaints register.</i></p> <p>2025 IEA findings: <u>Status of 2022 IEA Corrective Action 8:</u> Closed out with a total of 32 incidents/complaints added to the register for the May-December period. <u>2025 IEA findings:</u> Delta Coal is generally compliant with the requirements of this condition; however, the EA for Modification 4 is not available on the Project website. This has resulted in a non-compliance with Schedule 5, Condition 13(a), which required 'the documents referred to in Condition 2(e) of Schedule 2 of this consent' to be available on the Project website.. <i>CA02: Ensure the EA for Modification 4 is uploaded to the Project website.</i></p>

Appendix E

EPL 191

Condition	Details	Compliance status	Relevant evidence	Commentary									
1	Administrative Conditions												
A1	What the licence authorises and regulates												
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Coal works</td> <td>Coal works</td> <td>> 2000000 - 5000000 T annual handling capacity</td> </tr> <tr> <td>Mining for coal</td> <td>Mining for coal</td> <td>> 500000 - 2000000 T annual production capacity</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 2000000 - 5000000 T annual handling capacity	Mining for coal	Mining for coal	> 500000 - 2000000 T annual production capacity	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. 	A review of the Annual reviews and EPL Annual returns for 2022, 2023 and 2024 found that they were compliant with this condition.
Scheduled Activity	Fee Based Activity	Scale											
Coal works	Coal works	> 2000000 - 5000000 T annual handling capacity											
Mining for coal	Mining for coal	> 500000 - 2000000 T annual production capacity											
A1.2	<p>The licensee must not:</p> <p>(a) Produce by mining activities more than 1.1 million tonnes of coal within any 12 month period.</p> <p>(b) Undertake coal works of more than 2.1 million tonnes within any 12 month period, where ROM coal handled on the premises may be made up of coal produced by mining activities from both the Mannering premises as defined in this licence or Chain Valley premises as defined in Environment Protection Licence number 1770.</p> <p>Note: These limits on the scale of the fee based activities are based on project Approval 06_0311 MOD5 granted under the Environmental Planning and Assessment Act 1979 which limits extraction to 1.1 million tonnes of run of mine (ROM) coal per year and its modifications, the most recent of which is dated 5 June 2020.</p>	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. 	<p>No coal was produced by mining activities from the site.</p> <p>The following amounts of coal were transported to Vales Point Power Station from the colliery over the reporting period:</p> <ul style="list-style-type: none"> 2022: 954,103 t 2023: 931,016 t 2024: 1,018,784 									
A2	Premises or plant to which this licence applies												
A2.1	<p>A2.1 The licence applies to the following premises:</p> <table border="1"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>MANNERING COLLIERY</td> </tr> <tr> <td>RUTLEYS ROAD</td> </tr> <tr> <td>DOYALSON</td> </tr> <tr> <td>NSW 2262</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>SURFACE EXTENTS AND MONITORING LOCATIONS DESCRIBED BY PLAN OF PREMISES TITLED DELTA COAL MANNERING COLLIERY EPL 191 SURFACE EXTENTS AND ENVIRONMENTAL MONITORING LOCATIONS DRAWING NUMBER A1S0012_2, DATED 1 NOVEMBER 2019 (EPA REFERENCE DOC19/993639-1); UNDERGROUND EXTENTS DESCRIBED BY PLAN OF PREMISES TITLED DELTA COAL MANNERING COLLIERY EPL 191 SURFACE AND UNDERGROUND EXTENTS PREMISES PLAN DRAWING NUMBER A1S0012_2_REV2 (EPA REFERENCE DOC23/423384).</th> </tr> </thead> <tbody> <tr> <td></td> </tr> </tbody> </table>	Premises Details	MANNERING COLLIERY	RUTLEYS ROAD	DOYALSON	NSW 2262	SURFACE EXTENTS AND MONITORING LOCATIONS DESCRIBED BY PLAN OF PREMISES TITLED DELTA COAL MANNERING COLLIERY EPL 191 SURFACE EXTENTS AND ENVIRONMENTAL MONITORING LOCATIONS DRAWING NUMBER A1S0012_2, DATED 1 NOVEMBER 2019 (EPA REFERENCE DOC19/993639-1); UNDERGROUND EXTENTS DESCRIBED BY PLAN OF PREMISES TITLED DELTA COAL MANNERING COLLIERY EPL 191 SURFACE AND UNDERGROUND EXTENTS PREMISES PLAN DRAWING NUMBER A1S0012_2_REV2 (EPA REFERENCE DOC23/423384).		Note	SIX Maps/SEED Portal.	Noted.		
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A3	Information supplied to the EPA												
A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to:</p> <p>(a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>(b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	Note	<ul style="list-style-type: none"> N/A. 	N/A.									

Condition	Details	Compliance status	Relevant evidence	Commentary																												
2	Discharges to Air and Water and Applications to Land																															
P1	Location of monitoring/discharge points and areas																															
P1.1	<p>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</p> <table border="1"> <thead> <tr> <th colspan="4"><i>Air</i></th> </tr> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>Dust monitoring</td> <td></td> <td>Dust deposition gauge identified as point 3 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.</td> </tr> <tr> <td>4</td> <td>Dust monitoring</td> <td></td> <td>Dust deposition gauge identified as point 4 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.</td> </tr> <tr> <td>5</td> <td>Dust monitoring</td> <td></td> <td>Dust deposition gauge identified as point 5 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.</td> </tr> <tr> <td>6</td> <td>Dust monitoring</td> <td></td> <td>Dust deposition gauge identified as point 6 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.</td> </tr> <tr> <td>7</td> <td>Dust monitoring</td> <td></td> <td>Dust deposition gauge identified as point 7 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.</td> </tr> </tbody> </table>	<i>Air</i>				EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	3	Dust monitoring		Dust deposition gauge identified as point 3 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.	4	Dust monitoring		Dust deposition gauge identified as point 4 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.	5	Dust monitoring		Dust deposition gauge identified as point 5 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.	6	Dust monitoring		Dust deposition gauge identified as point 6 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.	7	Dust monitoring		Dust deposition gauge identified as point 7 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc 19/993639.	Compliant	<ul style="list-style-type: none"> Air Quality and Greenhouse Gas Management Plan (AQGHG MP) (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. 	Monitoring points are identified in the annual review documentation and the AQGHG MP.
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P1.2	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p> <table border="1"> <thead> <tr> <th colspan="4"><i>Water and land</i></th> </tr> <tr> <th>EPA Identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Discharge to waters Discharge quality monitoring</td> <td>Discharge to waters Discharge quality monitoring</td> <td>Discharge Point 1 (surface and groundwater) identified as point 1 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations", Drawing No:A180012_02, dated 1 November 2019, EPA Reference Doc19/993639.</td> </tr> </tbody> </table>	<i>Water and land</i>				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Discharge Point 1 (surface and groundwater) identified as point 1 on plan titled "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations", Drawing No:A180012_02, dated 1 November 2019, EPA Reference Doc19/993639.	Compliant	<ul style="list-style-type: none"> Water Management Plan (WMP) (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. 	The licensed discharge point is identified in the annual review documents and the WMP.																
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EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																													
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P1.3	<p>The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.</p> <table border="1"> <thead> <tr> <th colspan="3"><i>Noise/Weather</i></th> </tr> <tr> <th>EPA identification no.</th> <th>Type of monitoring point</th> <th>Location description</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>Meteorological Station</td> <td>As identified as point 8 in "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations, Drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc19/993639.</td> </tr> </tbody> </table>	<i>Noise/Weather</i>			EPA identification no.	Type of monitoring point	Location description	8	Meteorological Station	As identified as point 8 in "Delta Coal Mannering Colliery, EPL 191, Surface Extents & Environmental Monitoring Locations, Drawing No: A180012_02, Dated 1 November 2019" EPA Reference Doc19/993639.	Compliant	<ul style="list-style-type: none"> Annual Review for 2022, 2023 and 2024. AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). NMP (Rev 1– dated 20/04/2022), with DPE approval (dated 19/04/2022), including consultation with NSW EPA (dated 9/07/2021). 	The meteorological station is identified in the AQGHGMP and the NMP. Weather data is presented in the annual review documents.																			
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Condition	Details	Compliance status	Relevant evidence	Commentary
3	Limit Conditions			
L1	Pollution of waters			
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Non-compliant (low risk)	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. Monitoring data for 2022, 2023, 2024 and 2025 (to date). 	<p>2022 IEA findings: Corrective Action (CA) 1: Continue to undertake mitigation measures to comply with section 120 of the Protection of the Environment Operations Act 1997.</p> <p>2025 IEA findings: Status of 2022 IEA CA1: There were three exceedances in relation to EPL criteria under Condition L2.4 of EPL 191 during the audit period, resulting in a non-compliance (low risk). These are as follows:</p> <ul style="list-style-type: none"> 7 July 2022: Delta Coal received water quality analytical results on 11 July 2022 for a sample collected on 7 July 2022, which identified an exceedance of the 50 mg/L limit for total suspended solids (TSS), with a concentration of 166 mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> reviewed the site water balance and TARP reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management 12 October 2022: Delta Coal received water quality analytical results on 14 October 2022 for a sample collected on 12 October 2022, which identified an exceedance of the 50 mg/L limit for TSS, with a concentration of 59mg/L measured. The TSS exceedance was investigated and reported to the NSW EPA, the former NSW DPE (now the DPHI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> review the site water balance and TARP undertaking investigations on methods to improve the pond flocculant system 3 May 2024: Exceedance of TSS limit (i.e. 50 mg/L) at LDP1, with a result of 169 mg/L recorded in discharged water during a period of heavy rainfall. Following the non-compliance, Delta Coal completed the following actions: <ul style="list-style-type: none"> revision of the TARP system controlling the underground mine dewatering (TARP 00089), to assist in maximising surge capacity during high rainfall events re-positioning the silt curtain to ensure full functionality <p>These exceedances of TSS are considered to meet the definition of water pollution, as defined in Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (NSW), specifically: <i>'The definition of water pollution for the Act includes the placing in or on, or otherwise introducing into or onto, the waters, whether through an act or omission, any matter, whether solid, liquid or gaseous, that is of a prescribed nature, description or class or that does not comply with a standard prescribed in relation to the matter... (l) liquid that contains suspended or dissolved solids.'</i></p> <p>As these exceedances were notified to the NSW EPA and the DPHI, no corrective action has been identified; however, OFI06 has been identified in relation to these notifications. OFI06: Should any exceedance of discharge water quality criteria occur, ensure notifications include consideration to Section 120 of the Protection of the Environment Operations Act 1997 (NSW), including Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (NSW).</p>
L2	Concentration limits			
L2.1	For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Note		Noted
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Note		Noted
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.	Note		Noted

Condition	Details	Compliance status	Relevant evidence	Commentary																								
L2.4	<p>Water and/or Land Concentration Limits</p> <p>POINT 1</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of Measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5-8.5</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>50</td> </tr> </tbody> </table>	Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and Grease	milligrams per litre				10	pH	pH				6.5-8.5	Total suspended solids	milligrams per litre				50	Non-compliant (low risk)	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. Monitoring data for 2022, 2023, 2024 and 2025 (to date). 	<p>2022 IEA findings: CA2: Continue to undertake water quality monitoring. If a water quality exceedance is detected undertake measures to improve water quality.</p> <p>2025 IEA findings: Status of 2022 IEA CA2: Closed out, with Delta Coal implementing commensurate measures to improve water quality in response to exceedances, as explained below.</p> <p>2025 IEA findings: Refer to discussion at Condition L1.1.</p>
Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																							
Oil and Grease	milligrams per litre				10																							
pH	pH				6.5-8.5																							
Total suspended solids	milligrams per litre				50																							
L3	<p>Volume and mass limits</p> <p>For each discharge point or utilisation area specified below (by a point number), the volume/mass of:</p> <p>a) liquids discharged to water; or;</p> <p>b) solids or liquids applied to the area; must not exceed the volume/mass limit specified for that discharge point or area.</p> <table border="1"> <thead> <tr> <th>Point</th> <th>Unit of Measure</th> <th>Volume/Mass Limit</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>kilolitres per day</td> <td>4000</td> </tr> </tbody> </table>	Point	Unit of Measure	Volume/Mass Limit	1	kilolitres per day	4000	Non-compliant (low risk)	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. Monitoring data for 2022, 2023, 2024 and 2025 (to date). Incident reports. 	<p>There were two exceedances in relation to EPL criteria for discharge during the audit period, resulting in a non-compliance (low risk). These are as follows:</p> <ul style="list-style-type: none"> 5 July 2022: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 7,032 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPPI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following: <ul style="list-style-type: none"> review of the site water balance and TARP reviewed and maintenance of the clean water diversion system, to ensure no additional load is placed on the surge capacity management 6 May 2024: Exceedance of 4,000 kL discharge limit during a period of heavy rainfall, with a total of 4,382 kL discharged, with no environmental harm noted to have occurred. The exceedance was reported to the NSW EPA, the former DPE (now the DPPI), and the NSW Resources Regulator. Following the non-compliance, Delta Coal completed the following actions: <ul style="list-style-type: none"> revision of the TARP system controlling underground mine dewatering (TARP 00089) during high rainfall events reduction of the rainfall trigger level to cease dewatering (when deemed not to risk mine personnel safety) <p>Conduct of the audit determined, in response to these exceedances, Delta Coal demonstrated adaptive management and implemented appropriate mitigation and management measures. Therefore, no CA or OFI is deemed relevant.</p>																		
Point	Unit of Measure	Volume/Mass Limit																										
1	kilolitres per day	4000																										
L3.2	Exceedance of the volume limit for Point 1 is permitted only if the discharge from Point 1 occurs solely as a result of rainfall at the premises exceeding 10mm during the 24 hours immediately prior to the commencement of discharge	Note		Noted																								
L4	<p>Waste</p> <p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below. This condition does not limit any other conditions in this licence.</p> <table border="1"> <thead> <tr> <th>Code</th> <th>Waste</th> <th>Description</th> <th>Activity</th> <th>Other Limits</th> </tr> </thead> <tbody> <tr> <td>NA</td> <td>Waste</td> <td>Any other waste received on the premises for storage, treatment, processing, sorting or disposal and which receipt is not a scheduled activity under Schedule 1 of the POEO Act, as in force from time to time.</td> <td></td> <td></td> </tr> <tr> <td>NA</td> <td>General or Specific exempted waste</td> <td>Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2014</td> <td>As specified in each particular resource recovery exemption</td> <td>N/A</td> </tr> </tbody> </table>	Code	Waste	Description	Activity	Other Limits	NA	Waste	Any other waste received on the premises for storage, treatment, processing, sorting or disposal and which receipt is not a scheduled activity under Schedule 1 of the POEO Act, as in force from time to time.			NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2014	As specified in each particular resource recovery exemption	N/A	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023 and 2024. Waste tracking documentation. Site interviews conducted 16 April 2025. Site inspection conducted 16 April 2025. 	Waste tracking documentation was provided in the site audit. The documentation was satisfactory and compliant with the requirements of this condition. During the site inspection, no wastes outside of those specified in this condition were being generated or received at the premises.									
Code	Waste	Description	Activity	Other Limits																								
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Condition	Details	Compliance status	Relevant evidence	Commentary
L4.2	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023 and 2024. Complaint and incident register for 2022, 2023, 2024 and 2025 (to date). Site interviews conducted 16 April 2025. Site inspection conducted 16 April 2025. 	Waste on site is being stored and processed in a sufficient way, in compliance with the requirements of this condition. No complaints regarding waste have been received for the site.
L4.3	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence.	Note		Noted
L5	Noise limits Note: Noise limits are not specified as a condition of this licence. Noise limits are prescribed with the conditions of Project Approval 06_0311 granted under the Environmental Planning and Assessment Act 1979. Under the Environmental Planning and Assessment Act 1979 the Department of Planning is the appropriate authority in respect of the administration and regulation of the Project Approval.	Note		Noted
4	Operating Conditions			
O1	Activities must be carried out in a competent manner			
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Non-compliant (Low risk)	<ul style="list-style-type: none"> Site interviews conducted 16 April 2025. Site inspection conducted 16 April 2025. Waste Management Strategy and education initiatives. Generic induction (Environmental Awareness Training). 	<p>2022 IEA findings: <i>CA3: As bins are clearly labelled and adequate disposal facilities are available across the site, Delta should investigate means to address the workforce culture in relation to inadequate disposal of waste that has persisted across this, and the previous, audit.</i></p> <p>2025 IEA findings: <u>Status of the 2022 IEA CA3:</u> Closed out with Delta implementing a waste management strategy, training packages and tool box talks. <u>2025 IEA findings:</u> During the site inspection it was sighted that oil drums were stored in bunded areas; however in the warehouse a number of drums were stacked on top of each other. These drums were inappropriately stored and were not compliant with the Australian Standards AS 1940-2004: The storage and handling of flammable and combustible liquids, constituting a non-compliance with Condition O1.1. Therefore, CA03 has been identified. <i>CA03: To ensure drums are not stacked, install signs informing staff at each storage location of appropriate storage requirements.</i></p>
O2	Maintenance of plant and equipment			
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Compliant	<ul style="list-style-type: none"> Site interviews conducted 16 April 2025. Site inspection conducted 16 April 2025. Servicing records on the site's pulse system. 	A sample work order was produced on request for routine maintenance on the Ash Analyser. No issues regarding improper maintenance or operation were observed in the site inspection.
O3	Dust			
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	<ul style="list-style-type: none"> Annual Review for 2022, 2023 and 2024. Site inspection conducted 16 April 2025. 	The site has generally been maintained in a way that prevents the emission of dust. No complaints regarding dust have been received over the reporting period.
O3.2	Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.	Compliant	Site inspection conducted 16 April 2025.	Dust was not observed to be excessively generated during the site audit.
O3.3	All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.	Compliant	Site inspection conducted 16 April 2025.	Trafficable areas are generally sealed. Unsealed areas were not observed to be generating dust during the site inspection.
O3.4	The tailgates of all haulage trucks leaving the premises must be securely fixed prior to loading or immediately after unloading to prevent loss of materials.	Compliant	Annual Review for 2022, 2023 and 2024.	All coal processed at Mannering Colliery has been transported off the premises via conveyor. Haul trucks have not been used over the reporting period.
O3.5	Coal stockpiles must be maintained in a condition that will minimise the generation and emission of dust on the premises.	Compliant	Site inspection conducted 16 April 2025.	Coal is generally taken directly from the CHPP to Vales Point Power Station via overland conveyor. Temporary stockpiling of coal does occur at times. No dust was observed to be generated in the temporary stockpile area during the site inspection.

Condition	Details	Compliance status	Relevant evidence	Commentary
O4	Emergency response Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must be developed in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The PIRMP must be tested at least annually or following a pollution incident.	Compliant	<ul style="list-style-type: none"> Pollution Incident Response Management Plan (PIRMP) (Rev 8 – dated 20/12/2024). Site inspection conducted 16 April 2025. Annual Return for 2022, 2023 and 2024. PIRMP Test records. 	<p>The PIRMP was tested 3 times in the reporting period:</p> <ul style="list-style-type: none"> 2022 – 29 December 2022 2023 – 18 December 2023 2024 - 11 December 2024 <p>The PIRMP was produced in the site inspection.</p>
O5	Processes and management			
O5.1	All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.	Compliant	Site inspection conducted 16 April 2025.	Above ground tanks and storage containers were located within bunded areas.
O5.2	Bunds must: a) have walls and floors constructed of impervious materials; b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed); c) have floors graded to a collection sump; and d) not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.	Compliant	Site inspection conducted 16 April 2025.	Above ground tanks and storage containers were located within bunded areas. Collection sumps and oil/water separators were observed during the site inspection.
O6	Other operating conditions			
O6.1	The licensee must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the licensee must: (a) Ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle or container onto a public road. (b) The licensee must have in place and implement procedures to ensure that vehicles and containers exiting the premises are in a condition to ensure that materials are not tracked, thrown, blown, fall or cast onto a public road.	Compliant	<ul style="list-style-type: none"> Site inspection conducted 16 April 2025. Site interviews conducted 16 April 2025. 	Coal transport is undertaken by overland conveyor. Vehicles entering and exiting the site are limited to staff and contractor vehicles. No issues regarding air or water pollution generated by vehicle movements were observed in the site inspection.
5	Monitoring and Recording Conditions			
M1	Monitoring records			
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Compliant	<ul style="list-style-type: none"> Monitoring data for 2022, 2023, 2024 and 2025 (to date). Annual Return for 2022, 2023 and 2024. 	<p>Water monitoring and dust monitoring results are documented internally. These records were viewed during the site audit and were found to be compliant with the requirements of this condition. Water and dust monitoring results are reported externally in the monthly environmental reports.</p> <p>Noise monitoring is undertaken by an independent consultant, who reports data back to Delta Coal.</p>
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Complaint	<ul style="list-style-type: none"> Monitoring data for 2018, 2022, 2023, 2024 and 2025 (to date). Annual Return for 2022, 2023 and 2024. 	<p>Monitoring results date as far back as 2017 in the form of monthly environmental reports on the website.</p> <p>Noise monitoring reports date as far back as 2019 on the website.</p> <p>Signed annual returns dating back to 2021</p>
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: (a) the date(s) on which the sample was taken; (b) the time(s) at which the sample was collected; (c) the point at which the sample was taken; and (d) the name of the person who collected the sample.	Non-compliant (administrative)	<ul style="list-style-type: none"> Sample receipts. Monitoring data for 2022, 2023, 2024 and 2025 (to date). Dust and water monitoring spreadsheet dated to 31/03/2025. LDP field sheet dated 18/03/2025. 	<p>Sample receipts for water and dust sampling were viewed during the site audit.</p> <p>The sample receipts largely had the information required to satisfy the requirements of this condition, except for the sample records for the incident regarding TSS exceedance in May 2024, with the sample dated 9 May 2024 not identifying the sampler. Therefore, an ANC has been identified; however, as this as a one of occurrence and other sample receipts for water and dust sampling were compliant, no CA or OFI has been deemed relevant.</p>
M2	Requirement to monitor concentration of pollutants discharged			
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Compliant	<ul style="list-style-type: none"> Monitoring data for 2022, 2023, 2024 and 2025 (to date). WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). 	

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M2.2	<p>Air Monitoring Requirements</p> <p>POINT 3,4,5,6,7</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Particulates - Deposited Matter</td> <td>grams per square metre per month</td> <td>Monthly</td> <td>AM-19</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19	Compliant	<ul style="list-style-type: none"> AQGHGMP (Rev 5 – 12/01/2024), with DPHI approval (dated 23/01/2024). Annual Review for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. Monitoring data for 2022, 2023, 2024 and 2025 (to date). 	A review of the AQGHGMP and the annual review documentation found that air monitoring was undertaken in accordance with this condition. Sampling method is described in Section 4.4 of the AQGHGMP.																																																																				
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M2.3	<p>Water and/ or Land Monitoring Requirements</p> <p>POINT 1</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr><td>Aluminium (dissolved)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Aluminium (total)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Antimony</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Arsenic (dissolved)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Arsenic (total)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Barium</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Beryllium (dissolved)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Beryllium (total)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Boron</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Cadmium (dissolved)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Cadmium (total)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Calcium</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Chromium (dissolved)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Chromium (total)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Cobalt (dissolved)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Cobalt (total)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> <tr><td>Conductivity</td><td>microsiemens per centimetre</td><td>Weekly during any discharge</td><td>Grab sample</td></tr> <tr><td>Copper (dissolved)</td><td>micrograms per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Aluminium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample	Aluminium (total)	micrograms per litre	Monthly during discharge	Grab sample	Antimony	micrograms per litre	Monthly during discharge	Grab sample	Arsenic (dissolved)	micrograms per litre	Monthly during discharge	Grab sample	Arsenic (total)	micrograms per litre	Monthly during discharge	Grab sample	Barium	micrograms per litre	Monthly during discharge	Grab sample	Beryllium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample	Beryllium (total)	micrograms per litre	Monthly during discharge	Grab sample	Boron	micrograms per litre	Monthly during discharge	Grab sample	Cadmium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample	Cadmium (total)	micrograms per litre	Monthly during discharge	Grab sample	Calcium	micrograms per litre	Monthly during discharge	Grab sample	Chromium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample	Chromium (total)	micrograms per litre	Monthly during discharge	Grab sample	Cobalt (dissolved)	micrograms per litre	Monthly during discharge	Grab sample	Cobalt (total)	micrograms per litre	Monthly during discharge	Grab sample	Conductivity	microsiemens per centimetre	Weekly during any discharge	Grab sample	Copper (dissolved)	micrograms per litre	Monthly during discharge	Grab sample	Compliant	<ul style="list-style-type: none"> WMP (Rev 7 – dated 24/11/2022), with DPE approval (dated 10/01/2023). Annual Reviews for 2022, 2023 and 2024. Annual Returns for 2022, 2023 and 2024. Monitoring data for 2022, 2023, 2024 and 2025 (to date). 	A review of the WMP, monitoring data and annual review documentation identified that monitoring of surface water was being undertaken generally in compliance with the requirements of this condition. Surface water monitoring is described in Section 6.2 of the WMP.
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M5	Recording of pollution complaints																																																																																																																															
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Compliant	Complaint and incident register for 2022, 2023, 2024 and 2025 (to date).	The complaints register is available on the project website, and is up to date.																																																																																																																												
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	Complaint and incident register for 2022, 2023, 2024 and 2025 (to date).	The internal and website published complaints and incident registered were viewed during the site audit. Whilst the website published register did not contain all the requirements of this condition, the internal register contained the full details required.																																																																																																																												
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made	Compliant	Internal complaints register.	The complaints register goes back to 2014.																																																																																																																												
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not triggered		No requests from the EPA have been received to view the complaints register. This condition remains not triggered.																																																																																																																												
M6	Telephone complaints line																																																																																																																															
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence	Compliant	Community information line web page https://www.deltacoa.l.com.au/media/community-information-line	The community information line functions as the complaints line. The number is 1800 115 277 and is available on the website.																																																																																																																												
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	<ul style="list-style-type: none"> Example Community Newsletter Community information line web page https://www.deltacoa.l.com.au/media/community-information-line 	The community information line is advertised on the website in an easy to find location. The Community Newsletter available on the website from July 2022 contains the phone number.																																																																																																																												

Condition	Details	Compliance status	Relevant evidence	Commentary						
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Not triggered		Not triggered						
M6.4	The licensee must nominate a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including a telephone number, must be current at all times.	Compliant	Pollution Incident Response Management Plan (PIRMP) (Rev 8 – dated 20/12/2024)	The PIRMP contains the contact details of the current representatives of the company in Section 4.2..						
M7	Requirement to monitor volume or mass									
M7.1	For each discharge point or utilisation area specified below, the licensee must monitor: a) the volume of liquids discharged to water or applied to the area; b) the mass of solids applied to the area; c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below. POINT 1 <table border="1" data-bbox="311 583 1032 653"> <thead> <tr> <th>Frequency</th> <th>Unit of Measure</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Continuous during discharge</td> <td>kilolitres per day</td> <td>In line instrumentation</td> </tr> </tbody> </table>	Frequency	Unit of Measure	Sampling Method	Continuous during discharge	kilolitres per day	In line instrumentation	Compliant	<ul style="list-style-type: none"> Annual Return for 2022, 2023 and 2024. Annual Reviews for 2022, 2023, and 2024. Monitoring data for 2022, 2023, 2024 and 2025 (to date). 	Discharge at LDP1 has been monitored accordingly over the reporting period.
Frequency	Unit of Measure	Sampling Method								
Continuous during discharge	kilolitres per day	In line instrumentation								
6	Reporting Conditions									
R1	Annual return documents									
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Compliant	Annual Return for 2022, 2023 and 2024.	The annual return documentation was prepared in accordance with the requirements of this condition.						
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.	Compliant	Annual Return for 2022, 2023 and 2024.	Annual returns were completed for 2022, 2023 and 2024 as required.						
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.	Not triggered		The license has not been transferred during the audit period						
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not triggered		No licences have been surrendered during the reporting period. This condition remains not triggered.						
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Compliant	Annual Return for 2022, 2023 and 2024.	Review of relevant documentation indicates compliance with the requirements of this condition						
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Compliant	Annual Return for 2021, 2022, 2023 and 2024.	Review of relevant documentation indicates compliance with the requirements of this condition.						
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	Annual Return for 2021, 2022, 2023 and 2024.	Review of relevant documentation indicates compliance with the requirements of this condition.						
R2	Notification of environmental harm Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Note		Noted						
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not triggered	<ul style="list-style-type: none"> Incident reports. Annual Return for 2022, 2023 and 2024. Annual Reviews for 2022, 2023, and 2024. 	Whilst there were environmental incidents occurring the audit period, none of these incidents required the PIRMP to be enacted or considered likely to cause or threaten to cause material harm to the environment.						

Condition	Details	Compliance status	Relevant evidence	Commentary												
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	Not triggered	<ul style="list-style-type: none"> Incident reports. Annual Return for 2022, 2023 and 2024. Annual Reviews for 2022, 2023, and 2024. 	As per condition R2.1 there have been no incidents causing or threatening material harm occurring over the reporting period. This condition remains not triggered.												
R3	Written report															
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: <ol style="list-style-type: none"> where this licence applies to premises, an event has occurred at the premises; or where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event. 	Not triggered	Site interviews conducted 16 April 2025.	No requests of this nature have been made over the reporting period. This condition remains not triggered.												
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not triggered	Site interviews conducted 16 April 2025.	As above.												
R3.3	The request may require a report which includes any or all of the following information: <ol style="list-style-type: none"> the cause, time and duration of the event; the type, volume and concentration of every pollutant discharged as a result of the event; the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; action taken by the licensee in relation to the event, including any follow-up contact with any complainants; details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and any other relevant matters. 	Not triggered	Site interviews conducted 16 April 2025.	As above.												
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not triggered	Site interviews conducted 16 April 2025.	As above.												
7	General Conditions															
G1	Copy of licence kept at the premises or plant	Compliant	Site inspection conducted 16 April 2025.	A copy of the EPL was produced in the site inspection.												
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Site inspection conducted 16 April 2025.	A copy of A copy of the EPL was produced in the site inspection.												
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not triggered	Site interviews conducted 16 April 2025.	An EPA officer has not asked to see the licence over the reporting period. This condition remains not triggered.												
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	Site inspection conducted 16 April 2025.	A copy of the EPL was produced in the site inspection.												
G2	Other general conditions															
G2.1	Completed Programs <table border="1" data-bbox="311 1444 1035 1785"> <thead> <tr> <th>Program</th> <th>Description</th> <th>Completed Date</th> </tr> </thead> <tbody> <tr> <td>PRP 1 - Assessment of Potential Impacts of Metals</td> <td>The licensee must conduct an assessment of metals detected in wastewater discharges from the mine in accordance with the ANZECC water quality guidelines. To obtain a greater understanding of the type and concentration of metals discharged in mine water and entering the receiving waters. To limit the concentration of metals discharged in mine water within ANZECC guidelines.</td> <td>26-June-2013</td> </tr> <tr> <td>Coal Mine Particulate Matter Control Best Practice</td> <td>Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.</td> <td>19-September-2012</td> </tr> <tr> <td>Coal Handling and Preparation Plant Commissioning Water Quality Monitoring Study</td> <td>CHPP commissioning water quality monitoring study</td> <td>12-October-2016</td> </tr> </tbody> </table>	Program	Description	Completed Date	PRP 1 - Assessment of Potential Impacts of Metals	The licensee must conduct an assessment of metals detected in wastewater discharges from the mine in accordance with the ANZECC water quality guidelines. To obtain a greater understanding of the type and concentration of metals discharged in mine water and entering the receiving waters. To limit the concentration of metals discharged in mine water within ANZECC guidelines.	26-June-2013	Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	19-September-2012	Coal Handling and Preparation Plant Commissioning Water Quality Monitoring Study	CHPP commissioning water quality monitoring study	12-October-2016	Not triggered	Site interviews conducted 16 April 2025.	All programs were completed outside of the audit period.
Program	Description	Completed Date														
PRP 1 - Assessment of Potential Impacts of Metals	The licensee must conduct an assessment of metals detected in wastewater discharges from the mine in accordance with the ANZECC water quality guidelines. To obtain a greater understanding of the type and concentration of metals discharged in mine water and entering the receiving waters. To limit the concentration of metals discharged in mine water within ANZECC guidelines.	26-June-2013														
Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	19-September-2012														
Coal Handling and Preparation Plant Commissioning Water Quality Monitoring Study	CHPP commissioning water quality monitoring study	12-October-2016														

Appendix F

Standard conditions (Schedule 8A, Part 2) Mining
Regulation 2016

Condition	Details	Compliance status	Relevant evidence	Commentary
Division 1 Protection of the environment and rehabilitation				
4 Must prevent or minimise harm to environment				
4(1)	The holder of a mining lease must take all reasonable measures to prevent, or if that is not reasonably practicable, to minimise, harm to the environment caused by activities under the mining lease.	Compliant	<ul style="list-style-type: none"> This audit. Annual Reviews for 2022, 2023, and 2024. Environmental Monitoring reports for the audit period. Site inspection completed 16 April 2025. Site interviews completed 16 April 2025. 	Conduct of the audit has determined compliance with the requirements of this condition.
4(2)	In this clause—harm to the environment has the same meaning as in the Protection of the Environment Operations Act 1997.	Note		Noted
5 Rehabilitation to occur as soon as reasonably practicable after disturbance				
	The holder of a mining lease must rehabilitate land and water in the mining area that is disturbed by activities under the mining lease as soon as reasonably practicable after the disturbance occurs.	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Rehabilitation Management Plan (RMP) (Revision 2, 15/01/2024). Chain Valley Colliery (CVC) Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). CVC Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (5/09/2024). CVC Annual Biodiversity Monitoring Report 2022 (EMM, February 2023). CVC Annual Biodiversity Monitoring Report 2023 (Atlantech, 30/10/2023). CVC Annual Biodiversity Monitoring Report 2024 (Atlantech, 6/11/2024). Site inspection completed 16 April 2025. Site interviews completed 16 April 2025. 	Review of the relevant documentation and the site inspection revealed that Delta Coal is compliant with this condition. The ongoing rehabilitation of the old mining cottage area was sighted during the site inspection and evidence of active weed management was also sighted.
6 Rehabilitation must achieve final land use				
6(1)	The holder of a mining lease must ensure that rehabilitation of the mining area achieves the final land use for the mining area.	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. RMP (Revision 2, 15/01/2024). CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). CVC Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (5/09/2024). CVC Annual Biodiversity Monitoring Report 2022 (EMM, February 2023). CVC Annual Biodiversity Monitoring Report 2023 (Atlantech, 30/10/2023). CVC Annual Biodiversity Monitoring Report 2024 (Atlantech, 6/11/2024). 	The site still has approximately 14.70 ha (the total mine footprint) still under active disturbance with 0.69 ha of land under ongoing management in the ecosystem and land use sustainability phase of rehabilitation (former mine cottages area).
6(2)	The holder of the mining lease must ensure any planning approval has been obtained that is necessary to enable the holder to comply with subclause (1).	Not triggered	N/A.	Review of relevant documentation indicates planning approval has not been required to comply with subclause (1).
6(3)	The holder of the mining lease must identify and record any reasonably foreseeable hazard that presents a risk to the holder's ability to comply with subclause (1).	Compliant	RMP (Revision 2, 15/01/2024).	Review of relevant documentation verifies compliance with these requirements.
	Note Clause 7 requires a rehabilitation risk assessment to be conducted whenever a hazard is identified under this subclause.	Note		Noted
6(4)	<p>In this clause—</p> <p>final land use for the mining area means the final landform and land uses to be achieved for the mining area—</p> <ol style="list-style-type: none"> as set out in the rehabilitation objectives statement and rehabilitation completion criteria statement, and for a large mine—as spatially depicted in the final landform and rehabilitation plan, and if the final land use for the mining area is required by a condition of development consent for activities under the mining lease—as stated in the condition. <p>planning approval means—</p> <ol style="list-style-type: none"> a development consent within the meaning of the Environmental Planning and Assessment Act 1979, or an approval under that Act, Division 5.1. 	Note		Noted

Condition	Details	Compliance status	Relevant evidence	Commentary
Division 2 Risk assessment				
7 Rehabilitation risk assessment				
7(1)	The holder of a mining lease must conduct a risk assessment (a rehabilitation risk assessment) that— <ol style="list-style-type: none"> a. identifies, assesses and evaluates the risks that need to be addressed to achieve the following in relation to the mining lease— <ol style="list-style-type: none"> i. the rehabilitation objectives, ii. the rehabilitation completion criteria, iii. for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan, and b. identifies the measures that need to be implemented to eliminate, minimise or mitigate the risks. 	Compliant	RMP (Rev 2, 15/01/2024) – Appendix 2.	Review of relevant documentation verifies compliance with this requirement via Appendix 2 of the RMP.
7(2)	The holder of the mining lease must implement the measures identified.	Compliant	<ul style="list-style-type: none"> • Annual Reviews for 2022, 2023, and 2024. • RMP (Revision 2, 15/01/2024). • CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). • CVC Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (5/09/2024). • CVC Annual Biodiversity Monitoring Report 2022 (EMM, February 2023). • CVC Annual Biodiversity Monitoring Report 2023 (Atlantech, 30/10/2023). • CVC Annual Biodiversity Monitoring Report 2024 (Atlantech, 6/11/2024). • Site inspection completed 16 April 2025. • Site interviews completed 16 April 2025. 	Review of documentation indicates compliance with these requirements.
7(3)	The holder of a mining lease must conduct a rehabilitation risk assessment— <ol style="list-style-type: none"> a. for a large mine—before preparing a rehabilitation management plan, and b. for a small mine—before preparing the rehabilitation outcome documents for the mine, and c. whenever a hazard is identified under clause 6(3)—as soon as reasonably practicable after it is identified, and d. whenever given a written direction to do so by the Secretary. 	Compliant	RMP (Rev 2, 15/01/2024) – Appendix 2.	Review of relevant documentation verifies compliance with this requirement via Appendix 2 of the RMP.
Division 3 Rehabilitation documents				
8 Application of Division				
	This Division does not apply to a mining lease unless— <ol style="list-style-type: none"> a. the security deposit required under the mining lease is greater than the minimum deposit prescribed under the Act, section 261BF in relation to that type of mining lease, or b. the Secretary gives a written direction to the holder of the mining lease that this Division, or a provision of this Division, applies to the mining lease. 	Note		Noted
9 General requirements for documents				
	A document required to be prepared under this Division must— <ol style="list-style-type: none"> a. be in a form approved by the Secretary, and Note— The approved forms are available on the Department’s website. <ol style="list-style-type: none"> a. include any matter required to be included by the form, and b. if required to be given to the Secretary—be given in a way approved by the Secretary. 	Compliant	<ul style="list-style-type: none"> • RMP (Revision 2, 15/01/2024), including Approved Rehabilitation Objectives Statement (dated Monday, 20/11/2023). • CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). • CVC Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (5/09/2024). 	Review of relevant documentation verifies compliance with this requirement.

Condition	Details	Compliance status	Relevant evidence	Commentary
10 Rehabilitation management plans for large mines				
10(1)	<p>The holder of a mining lease relating to a large mine must prepare a plan (a rehabilitation management plan) for the mining lease that includes the following—</p> <ol style="list-style-type: none"> a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area, a description of the steps and actions the holder proposes to take to comply with the conditions of the mining lease that relate to rehabilitation, a summary of rehabilitation risk assessments conducted by the holder, the risk control measures identified in the rehabilitation risk assessments, the rehabilitation outcome documents for the mining lease, a statement of the performance outcomes for the matters addressed by the rehabilitation outcome documents and the ways in which those outcomes are to be measured and monitored. 	Compliant	RMP (Revision 2, 15/01/2024).	Review of the RMP indicates this requirement is addressed.
10(2)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must include a proposed version of the document.	Compliant	RMP (Revision 2, 15/01/2024).	Review of the RMP indicates this requirement is addressed.
10(3)	A rehabilitation management plan is not required to be given to the Secretary for approval.	Note		Noted
10(4)	<p>The holder of the mining lease—</p> <ol style="list-style-type: none"> must implement the matters set out in the rehabilitation management plan, and if the forward program specifies timeframes for the implementation of the matters—must implement the matters within those timeframes. 	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. RMP (Revision 2, 15/01/2024). CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). CVC Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (5/09/2024). CVC Annual Biodiversity Monitoring Report 2022 (EMM, February 2023). CVC Annual Biodiversity Monitoring Report 2023 (Atlantech, 30/10/2023). CVC Annual Biodiversity Monitoring Report 2024 (Atlantech, 6/11/2024). Site inspection completed 16 April 2025. Site interviews completed 16 April 2025. 	Review of documentation indicates compliance with these requirements.
11 Amendment of rehabilitation management plans				
	<p>The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows—</p> <ol style="list-style-type: none"> to substitute the proposed version of a rehabilitation outcome document with the version approved by the Secretary—within 30 days after the document is approved, as a consequence of an amendment made under clause 14 to a rehabilitation outcome document—within 30 days after the amendment is made, to reflect any changes to the risk control measures in the prepared plan that are identified in a rehabilitation risk assessment—as soon as practicable after the rehabilitation risk assessment is conducted, whenever given a written direction to do so by the Secretary—in accordance with the direction. 	Non-compliant (administrative)	RMP (Revision 2, 15/01/2024), including Approved Rehabilitation Objectives Statement (dated Monday, 20/11/2023).	<p>Review of the RMP indicates this requirement is generally addressed; however, the Approved Rehabilitation Objectives Statement is dated 20 November 2023, with the RMP not revised until 15 January 2024, which is more than 30 days after approval of the Rehabilitation Objectives Statement. Therefore, this has resulted in an ANC with Condition 11.</p> <p>As this non-compliance has been closed out, no CA or OFI has been deemed relevant.</p>
12 Rehabilitation outcome documents				
12(1)	<p>The holder of a mining lease must prepare the following documents (the rehabilitation outcome documents) for the mining lease and give them to the Secretary for approval—</p> <ol style="list-style-type: none"> the rehabilitation objectives statement, which sets out the rehabilitation objectives required to achieve the final land use for the mining area, the rehabilitation completion criteria statement, which sets out criteria, the completion of which will demonstrate the achievement of the rehabilitation objectives, for a large mine, the final landform and rehabilitation plan, showing a spatial depiction of the final land use. 	Compliant	RMP (Revision 2, 15/01/2024), including Approved Rehabilitation Objectives Statement (dated Monday, 20/11/2023).	Review of documentation indicates compliance with these requirements.

Condition	Details	Compliance status	Relevant evidence	Commentary
12(2)	If the final land use for the mining area is required by a condition of development consent for activities under the mining lease, the holder of the mining lease must ensure the rehabilitation outcome documents are consistent with that condition.	Compliant	RMP (Revision 2, 15/01/2024), including Approved Rehabilitation Objectives Statement (dated Monday, 20/11/2023).	Review of documentation indicates compliance with these requirements.
13 Forward program and annual rehabilitation report				
13(1)	The holder of a mining lease must prepare a program (a forward program) for the mining lease that includes the following— <ul style="list-style-type: none"> a. a schedule of mining activities for the mining area for the next 3 years, b. a summary of the spatial progression of rehabilitation through its various phases for the next 3 years, c. a requirement that the rehabilitation of land and water disturbed by mining activities under the mining lease must occur as soon as reasonably practicable after the disturbance occurs. 	Compliant	CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023).	Review of documentation indicates compliance with these requirements.
13(2)	The holder of a mining lease must prepare a report (an annual rehabilitation report) for the mining lease that includes— <ul style="list-style-type: none"> a. a description of the rehabilitation undertaken over the annual Reporting Period, b. a report demonstrating the progress made through the phases of rehabilitation provided for in the forward program applying to the Reporting Period, c. a report demonstrating progress made towards the achievement of the following— <ul style="list-style-type: none"> i. the objectives set out in the rehabilitation objectives statement, ii. the criteria set out in the rehabilitation completion criteria statement, iii. for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan. 	Compliant	<ul style="list-style-type: none"> • CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). • CVC Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (5/09/2024). 	Review of documentation indicates compliance with these requirements.
13(3)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must rely on a proposed version of the document.	Note		Noted
13(4)	The holder of the mining lease must give the forward program and annual rehabilitation report to the Secretary.	Compliant	Email correspondence dated 12/09/2023 Email correspondence dated 4/11/2024	A review of email correspondence has confirmed that the required documents had been provided
13(5)	In this clause— <ul style="list-style-type: none"> a. the date on which the mining lease is granted, or b. if the Secretary approves another date in relation to the mining lease—the other date. 	Note		Noted
14 Amendment of rehabilitation outcome documents and forward program				
14(1)	This clause applies to— <ul style="list-style-type: none"> a. a rehabilitation outcome document if it has been approved by the Secretary, and b. a forward program if it has been given to the Secretary. 	Note		Noted
14(2)	The holder of a mining lease must not amend a document to which this clause applies that relates to the mining lease unless— <ul style="list-style-type: none"> a. the Secretary gives the holder a written direction to do so, or b. the Secretary, on written application by the holder, gives a written approval of the amendment. 	Note		Noted
14(3)	The holder of the mining lease must amend the document in accordance with the Secretary's direction or approval.	Note		Noted
14(4)	Nothing in this clause prevents the holder of a mining lease preparing a draft amendment for submission to the Secretary for approval.	Note		Noted

Condition	Details	Compliance status	Relevant evidence	Commentary
15 Times at which documents must be prepared and given				
15(1)	The holder of a mining lease must do the following before the end of the initial period— a. prepare a rehabilitation management plan, and b. prepare rehabilitation outcome documents and give them, other than the rehabilitation completion criteria statement, to the Secretary for approval, and c. prepare a forward program and give it to the Secretary.	Non-compliant (administrative)	<ul style="list-style-type: none"> RMP (Revision 2, 15/01/2024), including Approved Rehabilitation Objectives Statement (dated Monday, 20/11/2023). CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). Email correspondence 	With consideration to the definition of 'initial period' defined in Condition 15(8), the RMP, rehabilitation outcome documents and forward program were required within 30 days of 2 July 2022 (i.e. by 30 July 2022). The Forward Program Thursday 7 July 2022 to Sunday 6 July 2025 was not submitted until 23 January 2023, resulting in an administrative non-compliance; however, as the initial period will no longer be relevant going forward, no CA or OFI has been deemed relevant.
15(2)	The holder of the mining lease must prepare a forward program and annual rehabilitation report and give them to the Secretary before— a. 60 days after the last day of each annual Reporting Period, commencing with the annual Reporting Period in which the forward program was given to Secretary under subclause (1)(c), or b. a later date approved by the Secretary.	Non-compliant (administrative)	<ul style="list-style-type: none"> CVC Annual Rehabilitation Report and Forward Program 2023 7 July 2022 to 6 July 2023 (12/09/2023). CVC Annual Rehabilitation Report Friday 7 July 2023 to Saturday 6 July 2024 (5/09/2024). 	Review of relevant documentation indicates general compliance with the requirements of this condition; however, the Annual Rehabilitation Report and Forward Program for 7 July 2022 to 6 July 2023 was not submitted until 12 September 2023, which is more than 60 days after the last day of the annual reporting period. Therefore, this has resulted in an ANC with Condition 15(2). As this non-compliance has not re-occurred in relation to submission of the annual rehabilitation report for 2023/2024, no CA or OFI has been deemed relevant.
15(3)	A rehabilitation completion criteria statement relating to completion of rehabilitation during a period covered by a forward program must be given to the Secretary for approval when the forward program is required to be given to the Secretary.	Compliant	RMP (Revision 2, 15/01/2024), including Approved Rehabilitation Objectives Statement (dated Monday, 20/11/2023).	Review of documentation indicates compliance with these requirements.
15(4)	The holder of the mining lease must prepare updated rehabilitation outcome documents for the mining lease and give them to the Secretary for approval before— a. 60 days after a development consent is modified following an application referred to in clause 20(1)(b), or b. a later date approved by the Secretary.	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
15(5)	A rehabilitation completion criteria statement is not required to be given to the Secretary under subclause (4) unless a rehabilitation completion criteria statement has already been given to the Secretary under subclause (3).	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
15(6)	The Secretary may, by written notice, direct the holder of a mining lease to prepare, or give to the Secretary, a document required to be prepared under this Division at a time other than that specified in this clause.	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
15(7)	The holder of the mining lease must comply with the direction.	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
15(8)	In this clause— initial period means the period commencing when the mining lease is granted and ending— a. 30 days, or other period approved by the Secretary, after this Division first applies to the mining lease, or b. if this Division applies to the mining lease because of an increase in the required security deposit— i. when the surface of the mining area is disturbed by activities under the mining lease, or ii. at a later date approved by the Secretary.	Note		Noted
16 Certain documents to be publicly available				
16(1)	This clause applies to the following documents— a. a rehabilitation management plan, b. a forward program, c. an annual rehabilitation report.	Compliant	Chain Valley Colliery website.	Conduct of the audit has determined compliance with the requirements of this requirement.
16(2)	The holder of a mining lease must make a document to which this clause applies publicly available by— a. publishing it on its website in a prominent position, or b. if the holder does not have a website— providing a copy of it to a person— i. on the written request of a person, and ii. without charge, and iii. within 14 days after the request is received.	Compliant	Chain Valley Colliery website.	Conduct of the audit has determined compliance with the requirements of this requirement.

Condition	Details	Compliance status	Relevant evidence	Commentary
16(3)	If a document is published on the website of the holder of the mining lease, the holder must ensure that it is published— <ul style="list-style-type: none"> a. for a rehabilitation management plan—within 14 days after it is prepared or amended, or b. for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended. 	Compliant	Email correspondence dated 30/11/2022 and 13/12/2022 Site interviews on 16 April 2025 Delta Coal website	A review of correspondence between Delta Coal representatives and the NSW RR confirmed that the RMP was uploaded onto the Delta Coal website on the 1 November 2022 with the plan dated 20 October 2022, and as such within the 14 day timeframe. The RMP has since been updated and uploaded on the website for the subsequent revision. The current Annual Rehabilitation Report and Forward Program are also found to be on the Delta Coal website.
16(4)	Personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in a document made available to a person under this clause.	Note		Noted
Division 4 Records, reporting and notification				
17 Records demonstrating compliance				
	The holder of a mining lease must create and maintain records of all actions taken that demonstrate compliance with each of the conditions set out in this Part. Note— The Act, sections 163D and 163E provide for the form in which records must be kept and the period for which they must be retained.	Compliant	RMP (Rev 2, 15/01/2024) Email correspondence M-files system Site interviews on 16 April 2025 Site inspection on 16 April 2025	All required evidence was provided by Delta Coal personnel and sighted to be stored in appropriate filing systems.
18 Report on non-compliance				
18(1)	The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with— <ul style="list-style-type: none"> a. a condition of the mining lease, or Note—The Act, section 364A contains provisions relating to the use and disclosure of information provided under this condition. <ul style="list-style-type: none"> a. a requirement of the Act or this Regulation relating to activities under the mining lease. 	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
18(2)	The holder of the mining lease must provide the report within 7 days after becoming aware of the non-compliance.	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
18(3)	The holder of the mining lease must ensure the report— <ul style="list-style-type: none"> a. identifies the condition of the mining lease, or the requirement of the Act or this Regulation, to which the non-compliance relates, and b. describes the non-compliance and specifies the date or dates on which, or the period during which, the non-compliance occurred, and c. describes the causes or likely causes of the non-compliance, and d. describes the action that has been taken, or will be taken, to mitigate the effects, and to prevent any recurrence, of the non-compliance. 	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
19 Nominated contact person				
19(1)	The holder of a mining lease must nominate a natural person to be the contact person with whom the Secretary can communicate in relation to the mining lease for the purposes of the Act. Note— The Act, section 383 sets out the ways in which notices or other documents may be issued or given to, or served on, a person for the purposes of the Act.	Compliant	RMP (Rev 2, 15/01/2024)	Conduct of the audit has determined compliance with the requirements of this requirement.
19(2)	The holder of the mining lease must give written notice to the Secretary of— <ul style="list-style-type: none"> a. the full name and contact details of the nominated person—within 28 days after the date on which the standard conditions apply to the mining lease under clause 31A of this Regulation, and b. any change in nomination or in the nominated person's contact details—within 28 days after the change occurs. 	Non-compliant (administrative)	Email correspondence dated 19/04/2023, 11/08/2022 and 13/12/2022 with the NSW RR Letter dated 10 August 2022 NSW RR submission messaged dated 10/08/2022 and 19/04/2023	A review of the email correspondence between NSW Resources Regulator and Delta Coal, confirms that written notice was provided. However, the notice was required to be provided within 28 days of 2 July 2022 (i.e. 29 July 2022) and was not provided until 10 August 2022. Therefore, an ANC has been identified with Condition 19(2). However, as the nominated contact person has since been provided to the NSW Resources Regulator, no CA or OFI is deemed relevant.
19(3)	The holder of the mining lease must ensure that the contact details for the nominated person include the person's phone number and postal and email addresses.	Compliant	RMP (Rev 2, 15/01/2024)	Conduct of the audit has determined compliance with the requirements of this requirement.

Condition	Details	Compliance status	Relevant evidence	Commentary
Division 5 Applications relating to development consent				
20 Additional requirements—application for or to modify development consent				
20(1)	The holder of a mining lease must give written notice to the Secretary within 10 days after— <ul style="list-style-type: none"> a. making an application for development consent that relates to the mining area, or b. making an application for modification of a development consent— <ul style="list-style-type: none"> i. under the Environmental Planning and Assessment Act 1979, section 4.55(2), and ii. that proposes to modify a condition of the consent that relates to rehabilitation of the mining area in a way that may affect an obligation under the mining lease relating to rehabilitation of the mining area. 	Not triggered	N/A.	Per Clause 20(2) this clause does not apply to SSD.
20(2)	This clause does not apply if the development is State significant development.	Note	N/A.	N/A.

Appendix G

Site inspection photos

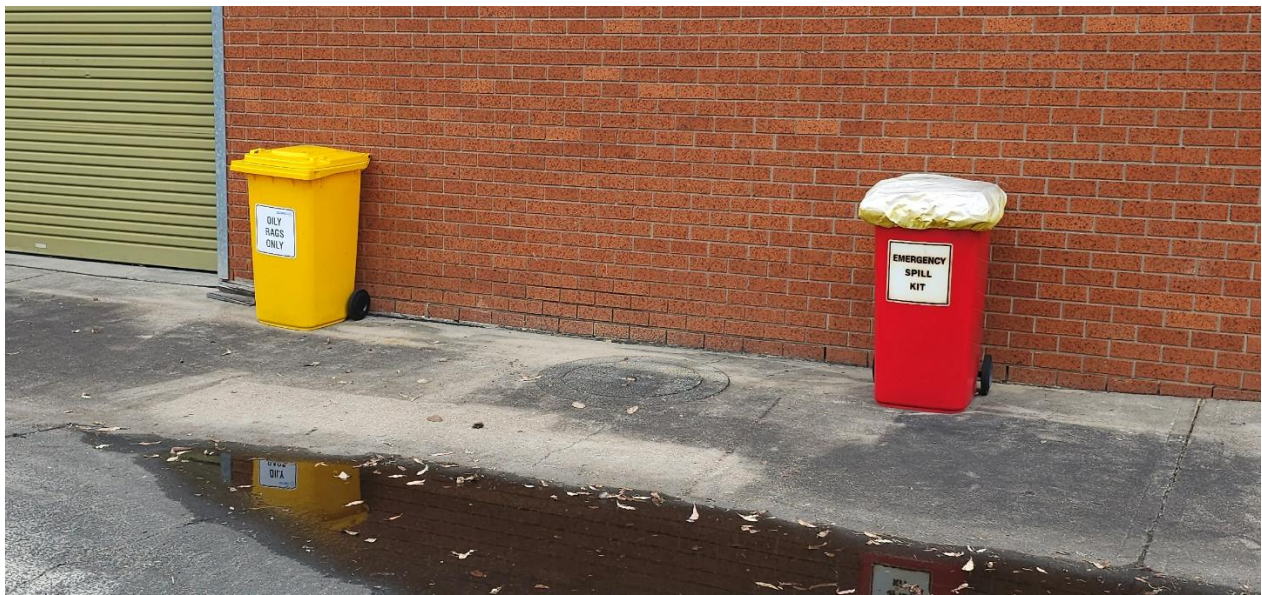


Plate 1 Emergency spill kit and oily rags receptacles



Plate 2 Waste receptacles, including inappropriate storage of drums



Plate 3 Bulk oil and diesel storage



Plate 4 Washdown bay



Plate 5 Washdown bay sump



Plate □ Oil water separator



Plate Meteorological station



Plate Coal bin and coal stockpile area



Plate 9 Dam B



Plate 10 Coal handling plant



Plate 3 Water flow meter at LDP of EPL 9



Plate 4 LDP of EPL 9

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TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendix 8: Independent Environmental Audit Action Plan

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 78 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

Manning Colliery Independent Environmental Audit 2025 Action Plan - March 2026 Status Update

Action/Rec #	Requirement	Proposed Completion Date	Persons Responsible	Percentage Complete	Comments	March 2026 Comments
Corrective Action CA01	To ensure compliance with relevant conditions of MP06_0311, undertake updates to the Manning Colliery Water Management Plan (WMP) to ensure baseline data for groundwater quality are increased.	31/10/2025 (30/3/2026)	Environmental & Approvals Coordinator	100%	Delta Coal will undertake a revision of the Manning Colliery WMP to include baseline/background groundwater quality data.	Submission of WMP was extend until March 2026 following non-compliance with required review timeline. WMP has been updated with background GW data added in Appendix 4.
Corrective Action CA02	Ensure the Environmental Assessment (EA) for Modification 4 is uploaded to the Project website.	Complete	Environmental & Approvals Coordinator	100%	Manning Colliery PA MP06_0311 Modification 4 was an administrative modification, the Environmental Assessment relied heavily on data presented in MOD 3. The supporting assessment for MOD 4 has been uploaded to the project website.	Action completed
Corrective Action CA03	To ensure drums are not stacked, install signs informing staff at each storage location of appropriate storage requirements	30/09/2025	Environment and Community Officer	100%	Delta Coal will install signage on bunding to prevent the stacking of drums, inclusive of temporary bunds.	Action completed
Opportunity for Improvement OFI01	To accurate reflect consultation to date for the Manning Colliery WMP, update Table 1 in Section 1.4	31/10/2025 (30/3/2026)	Environmental & Approvals Coordinator	100%	Delta Coal will revise the Manning Colliery WMP and incorporate OFI01.	Submission of WMP was extend until March 2026 following non-compliance with required review timeline. WMP table updated as required
Opportunity for Improvement OFI02	Update the Rehabilitation Management Plan (RMP) to include copies of emails / letters to / from BCD (now NSW DCCEEW CPHR Group), DPIE Water (now NSW DCCEEW Water Group), Central Coast Council, Lake Macquarie City Council, and the Community Consultative Committee.	30/01/2026 (30/03/2026)	Environmental & Approvals Coordinator	100%	Majority of RMP consultation was undertaken during the Mining Operations Plan (MOP) development in 2020. Delta Coal will undertake consultation with stakeholders on a revised versions of the RMP. Extended timeline considered due to uncertainty in timeframe for stakeholder response.	RMP has been updated and sent to stakeholder for consultation. Records of this will be updated in the final version of the RMP published on the Delta Coal website
Opportunity for Improvement OFI03	Update the Land Management Plan (LMP), as follows: - Section 1.5 (Table 2) to reflect no comments were received from the relevant stakeholders. - Appendix 2 to demonstrate consultation was undertaken.	31/10/2025 (30/4/2026)	Environmental & Approvals Coordinator	50%	Upon approval of the Land Management Plan, a final version incorporating all consultation and Secretary Approval will be finalised.	Pending approval of LMP, which is currently with DPHI
Opportunity for Improvement OFI04	Update the table of contents of the AQGHGMP to reflect Appendix G attached.	30/09/2025 (30/3/2026)	Environmental & Approvals Coordinator	100%	The Delta Coal AQGHGMP table of contents will be updated. Given the minor nature of the update, Secretary approval is not considered to be required.	AQGHGMP plan reviewed as required
Opportunity for Improvement OFI05	To remove discrepancy and ensure consistency across plans, every management plan should be updated to have a consistent cover page identifying: - The date the plan was submitted/prepared - Approval date - Last review date - Next review date	31/10/2025 (30/3/2026)	Environmental & Approvals Coordinator	100%	Delta Coal will implement a uniform cover page of all environmental management plans, the assumption is made that should only the title page be amended, the amendments will not require Secretary approval.	Cover page of all MPs updated to included review and approval dates
Opportunity for Improvement OFI06	Should any exceedance of discharge water quality criteria occur, ensure notifications include consideration to Section 120 of the Protection of the Environment Operations Act 1997 (NSW), including Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (NSW).	31/10/2025 (30/3/2026)	Environmental & Approvals Coordinator	100%	Future water quality and water discharge related incidents / non-compliances will consider S.120 of the POEO Act and Schedule 5 of the POEO Regulation hereafter. To ensure this is captured and documented Delta Coal will revise the Manning Colliery WMP Section 7.3 (Incident or Non-compliance Response and Reporting) to include consideration of Section 120 of the POEO Act and Schedule 5 of the POEO (General) Regulation during water related incident notification. WMP update proposed to be submitted to DPHI by 31 October 2025.	Submission of WMP was extend until March 2026 following non-compliance with required review timeline. Section 7.3 of WMP updated as required and submitted for approval.



TITLE Mannering Colliery Annual Review 2025

SITE Delta Coal

Appendix 9: DPIE Letter – 2025 Annual Review

To be provided following receipt and acceptance of the Mannering Colliery 2025 Annual Review.

Review Date	Next Review Date	Revision No	Document Owner	Page
N/A	N/A	1	Environment & Approvals Coordinator	Page 79 of 79

DOCUMENT UNCONTROLLED WHEN PRINTED

NSW Planning ref: MP06_0311-PA-35

Lachlan McWha
Environment and Approvals Coordinator
GREAT SOUTHERN ENERGY PTY LTD
Off Construction Road Off Ruttleys Road
Manning Park New South Wales 2259
25/06/2025

Sent via the Major Projects Portal only

Subject: Mannering Coal - AEMR - 2024

Dear Mr McWha

I refer to the Annual Review for the period 1 January 2024 – 31 December 2024 submitted as required by Schedule 5, Condition 8 of MP06_0311 as modified (the approval) to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 31 March 2025.

NSW Planning has reviewed the Annual Review and considers it to generally satisfy the reporting requirements of the approval and the NSW Planning Annual Review Guideline (October 2015). It is noted that it is publicly displayed on your website.

Please note that the NSW Planning's acceptance of this Annual Review is not an endorsement of the compliance status of the project.

Should you wish to discuss the matter further, please contact Laura Gothard, Senior Compliance Officer on 0484 269 988 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary